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Situation of human rights in Afghanistan

Note by the Secretary-General**

The Secretary-General has the honour to transmit to the members of the General Assembly a brief interim report on the situation of human rights in Afghanistan prepared by Kamal Hossain, Special Rapporteur of the Commission on Human Rights, in accordance with General Assembly resolution 56/176 of 19 December 2001 and Economic and Social Council decision 2002/252 of 25 July 2002.

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** The present report is being submitted on 13 August 2002 so as to take into account the Economic and Social Council mandate and as much updated information as possible.

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Interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan

Summary

This is the eighth report of the Special Rapporteur on the situation of human rights in Afghanistan. The Special Rapporteur visited Pakistan and the Islamic Republic of Iran in October 2001, Kabul in January 2002 and Herat in February.

The Bonn Agreement, concluded on 5 December 2001, elaborated a transitional framework through which the people of Afghanistan can freely determine their own political future and undertake the task of rebuilding their State. The Agreement reaffirmed the independence, national sovereignty and territorial integrity of Afghanistan. The goal of the transition process is the establishment of a broad-based, gender-sensitive, multi-ethnic and fully representative government. Human rights are to be fully integrated into the humanitarian, reconstruction and political activities undertaken during the transition, with the aim of building sustainable institutions that will support human rights, democracy and the rule of law.

Under the Agreement, an Emergency Loya Jirga was to be convened within six months of the establishment of the Interim Authority and to decide on a Transitional Authority, including a broad-based Transitional Administration that would lead Afghanistan until a fully representative government could be elected through free and fair elections, which would be held no later than two years from the convening of the Emergency Loya Jirga.

Despite the widely noted imperfections in the convening and conduct of the Loya Jirga, the fact that it was convened within the time frame laid down in the Bonn Agreement was a significant milestone. It presented the Afghan people with a forum where they could express and exchange views and marked the beginning of a process for resolving internal differences through political means rather than by violence. The Loya Jirga ended by electing President Hamid Karzai and approving the Cabinet of the Transitional Administration, which is composed of five Vice-Presidents, three Special or National Advisers with Cabinet status, and 30 ministers, including three women.

Criticism was expressed that persons with questionable records were not excluded from the Loya Jirga process. Concerns were expressed that the continuing impunity of those responsible for gross human rights violations could present an obstacle both to the emergence of democracy and to the establishment of the rule of law. President Karzai emphasized that the imperative of justice would be kept in sight but that peace must be established first.

The Special Rapporteur therefore urged that priority be given to replacing the rule of the gun by the rule of law. This would require building up a national police force as well as other disciplined forces for purposes of internal security and defence. It was emphasized that for human rights to be restored, it would be necessary to disarm the country, collect the arms held by many groups under various local commanders and establish a national legal order based on human rights and the rule of law.

The Special Rapporteur issued specific warnings in October and November 2001 about the need to take special measures to protect civilians against the threat of ethnically motivated violence in areas where ethnic minorities identified with the earlier regime could be exposed to reprisals. Reliable reports indicated that as territories changed hands, scattered Pashtun communities in northern and central Afghanistan were especially vulnerable. Also, there were numerous reports of fighting between armed factions in Balkh and in areas around Mazar-i-Sharif. Robberies and killings of local Afghans were reported from various parts of southern Afghanistan. The capacity of the Interim Administration to take effective measures was clearly limited by the absence of an effective national police force or local law enforcement mechanisms, as well as the fact that the International Security Assistance Force (ISAF), which numbered about 5,000, was deployed only in and around Kabul.

In his reports, the Special Rapporteur drew attention to the plight of prisoners. Overcrowding, malnutrition and disease were reported, in particular in Sheberghan prison, which in November 2001 housed over 3,000 prisoners and where conditions clearly did not meet minimum standards of human treatment. Prisoners are being released in batches as a means of alleviating prison conditions. There is some concern about reports of women being detained for violating social codes.

There are reports that aerial bombing as part of the military operations of the coalition led by the United States of America has resulted in civilian casualties in a number of locations. On-site review of 11 locations indicates that, over a six-month period, air strikes killed as many as 400 civilians. It is important that thorough high-level investigations be held to identify the causes of air strikes that result in civilian casualties. Prompt corrective action should be taken to avoid any recurrence.

Disarming armed groups under local commanders is a necessary first step towards bringing people under the rule of law. The security of life and property must be effectively protected and a national police force must be organized again as a matter of the highest priority. A human rights-based approach to policing would involve special training and human rights education, a code of ethics and the establishment of an independent monitoring body. The reports of violations of the human rights of ethnic minorities and vulnerable sectors of the population, including assaults and sexual abuse, clearly provide the strongest argument for according the highest priority to strengthening the internal security force available to the Transitional Administration.

An Independent Human Rights Commission was established by decree on 6 June 2002. It is empowered to consider any questions falling within its competence and to initiate its own inquiries and investigations. It is also vested with the power to hear any person and obtain any information, evidence and documentation necessary to assess situations and cases.

A Judicial Commission was similarly established. It is an independent expert body entrusted with the task of making recommendations on all action necessary for rebuilding the justice system in Afghanistan. It is to work in close consultation and cooperation with the Ministry of Justice and other governmental and non-governmental bodies.

For the realization of the ultimate aim of the Bonn Agreement — the emergence of a broad-based, gender-sensitive, multi-ethnic and fully representative

government — it is imperative that a human rights-based strategy be adopted. The Transitional Administration is expected to promote participatory governance at all levels and engage in extensive consultations in carrying out its work. The commissions established by it should visibly involve all sectors of the Afghan populace.

The Bonn Agreement directs the United Nations to ensure that a rights-based and gender-sensitive approach is applied in all aspects of its work. The report of the Secretary-General on the situation of women and girls in Afghanistan (E/CN.4/Sub.2/2002/27) contains detailed recommendations that emphasize the need for the full participation of women in political decision-making and the importance of a rights-based and gender-sensitive approach to relief, reconstruction and development. It elaborates specific recommendations for action to be taken at the national and international levels for that purpose.

Funds and food are urgently needed to meet both survival needs and priority reconstruction projects. There is also a need to ensure that the assistance is equitably distributed throughout Afghanistan and, in particular, that it reaches the remote areas and the most vulnerable sectors of the population. The $1.6 billion 15-month overall international assistance programme that started on 1 October 2001 has received some $820 million. As at July 2002, $777 million were needed by the end of the year, of which nearly $400 million were needed in the third quarter. The funds pledged have to be provided urgently. Delay in the provision of funds could cause serious damage to the transition process in which Afghanistan and its people are currently engaged.

The Office of the United Nations High Commissioner for Refugees has assisted more than a million Afghans to return home from Pakistan and more than 83,000 from the Islamic Republic of Iran. To encourage the return of refugees, on 22 December 2001 the Interim Administration issued the Presidential Decree on the Dignified Return of Refugees, welcoming them and assuring them protection against harassment, intimidation, discrimination or persecution for reasons of race, religion, nationality, membership in a particular social group, political opinion or gender.

The highest priority has to be accorded to security in order to protect lives and property. The building of a national army, which has begun, needs to be accelerated. In the meantime, ISAF must be expanded and deployed wherever needed beyond Kabul and its environs. A national human rights-sensitive police force must be developed to carry out law enforcement effectively and impartially. Urgent action should be taken to review prison conditions to ensure that prisoners are treated humanely, in conformity with internationally recognized standards.

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I. Introduction

1. This is the eighth report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan. The seventh report reflected the impact on the human rights situation of dramatic developments that took place in the last quarter of 2001. The Special Rapporteur visited Pakistan and the Islamic Republic of Iran in October 2001. He visited Kabul in January 2002 and Herat in February 2002.

2. The prospect of fundamental change began with the end of the Taliban regime. The United Nations was entrusted with the task of developing a political alternative to the Taliban regime. The Secretary-General assumed the pivotal role and mandated his Special Representative, Lakhdar Brahimi, to initiate consultations, which paved the way for the conference that was convened in Bonn on 27 November 2001. It was attended by delegations representing different Afghan groups — the Northern Alliance and exiled groups, including those affiliated with the country's former King, Mohammad Zaher Shah. A transition process was to be devised through which Afghans could undertake the task of rebuilding their State.

II. The Bonn Agreement: the framework for transition

3. The Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (the Bonn Agreement), concluded on 5 December 2001, was signed by 25 parties on behalf of the Afghan participants and witnessed for the United Nations by the Special Representative of the Secretary-General. It elaborated a transitional framework through which the people of Afghanistan could freely determine their own political future. The Agreement reaffirmed the independence, national sovereignty and territorial integrity of Afghanistan. The goal of the transition process was defined as the establishment of a broad-based, gender-sensitive, multi-ethnic and fully representative government.

4. Aspirations for peace and national reconstruction, shared widely by different segments of the Afghan people, were directed by the Bonn negotiations towards a time-bound series of measured steps. Power would officially be transferred to an Interim Authority to be established on 22 December 2001. The Interim Authority would consist of an Interim Administration presided over by a Chairman, a Special Independent Commission for the Convening of the Emergency Loya Jirga and the Supreme Court of Afghanistan, as well as such other courts as might be established by the Interim Administration. The Interim Authority was to be the repository of Afghan sovereignty and, throughout the interim period, would represent Afghanistan in its external relations, occupying its seat at the United Nations and at other international institutions and conferences.

5. The Emergency Loya Jirga was to be convened within six months of the establishment of the Interim Authority, that is by 22 June 2002, and would be opened by His Majesty Mohammad Zaher Shah, the former King of Afghanistan. The Emergency Loya Jirga would decide on the Transitional Authority, including a broad-based Transitional Administration, which would lead Afghanistan until a fully representative government could be elected through free and fair elections to be held no later than two years from the convening of the Emergency Loya Jirga.

6. The Special Independent Commission for the Convening of the Emergency Loya Jirga was to be established within one month of the establishment of the Interim Authority and was to consist of 21 members, a number of whom were expected to have expertise in constitutional and customary law. The members would be selected from lists of candidates submitted by participants in the United Nations talks on Afghanistan and by Afghan professional and civil society groups. The United Nations was to assist in the establishment and activities of the Commission.

7. The Emergency Loya Jirga was convened in Kabul on 10 June 2002. The process was not without difficulties. The task of selecting over 1,000 delegates from 390 districts of Afghanistan began on 16 April 2002 in the north-western region and ended on 6 June in Kabul. Two hundred women delegates were selected, of whom more than 20 were elected. The overall state of insecurity was heightened by tensions and conflict between different ethnic groups and certain local commanders who were involved in promoting their candidates for the Loya Jirga. These problems were particularly evident in the south-east (Gardez), the north (Mazar-i-Sharif) and the western districts of the Hazarajat (Daikundi). There were reported attempts by local commanders and authorities to influence the outcome of the selection process through money or intimidation. Problems in a dozen districts led to interventions by the Special Independent Commission, leading to the cancellation of district elections. Despite the widely noted imperfections in the convening and conduct of the Loya Jirga, the fact that it was convened within the time frame laid down in the Bonn Agreement was a significant achievement. It presented the Afghan people with a forum where they could express and exchange views. It also marked the beginning of a process for resolving internal differences through political means rather than by violence.

8. Between 11 and 19 June the Emergency Loya Jirga held extensive discussions and lively debates on major issues. A strong consensus in favour of positive change was evident. The themes on which there was a convergence of views included the need to promote national unity in spite of political and ethnic differences; the need to address insecurity and to undertake disarmament; the need to create a national army that would absorb the many local and regional militias; the need for country-wide physical reconstruction; the need to expand education and, above all, improve the living conditions of the people at large; and the need to build an ethnically balanced government and to curb corruption and patronage.

9. The Loya Jirga ended by electing Hamid Karzai as President with 1,295 votes out of 1,575. The fact that the candidate with the second highest number of votes was a woman physician, Massouda Jalal, was itself another milestone in the political development of Afghanistan. The participation of women delegates paved the way for the creation of a national network of Afghan women delegates that will continue to work beyond the Loya Jirga.

10. Following the election of President Karzai, three Vice-Presidents and 14 ministers were endorsed by the Loya Jirga. The final Cabinet of the Transitional Administration is composed of five Vice-Presidents, three Special or National Advisers with Cabinet status and 30 ministers. Ethnic balance is an important aim, since the declared goal of the process is to establish a broad-based multi-ethnic State. Pashtun representation is just under 50 per cent and Tajik representation just under one third. Three women were appointed as ministers.

11. Criticism was expressed that persons with questionable records were not excluded from the Loya Jirga process. Concerns were expressed that the continuing impunity of those responsible for gross human rights violations could present an obstacle both to the emergence of democracy and to the establishment of the rule of law. President Karzai emphasized that the imperative of justice would be kept in sight but that peace must be established first. It was argued that in order to maintain the fragile peace and promote national unity, the transition process would have to allow for the continued participation of major factional leaders, subject, however, to the condition that those leaders contributed constructively and effectively to building national institutions, in particular a genuinely national army and a national police force. The United Nations estimates that the total cost of building the new army will be $289 million, which includes training, salaries, refurbishment of barracks and facilities, equipment and $17 million for the first stage of demobilization. Donors have so far pledged $235 million but the money has yet to arrive.

12. The completion of the first phase of the Bonn Agreement, the launching of the Interim Administration on 22 December 2001 and the establishment on 22 June 2002 of the Transitional Administration headed by a President elected by the Emergency Loya Jirga and a Cabinet of ministers substantially endorsed by it, is a significant achievement which has belied pessimistic predictions and sustains the hope that the many formidable challenges that lie ahead can be successfully overcome. Enormous efforts will have to be made by the leadership and people of Afghanistan, with constant support from the international community.

III. The Transitional Administration and the way ahead

13. According to the Bonn Agreement, within two months of the establishment of the Transitional Administration, that is by 22 August 2002, a Constitutional Commission would be established by the Transitional Administration with the assistance of the United Nations. A Constitutional Loya Jirga would be convened within 18 months of the establishment of the Transitional Authority, that is by 22 December 2003, to adopt a new constitution. Free and fair elections would be held no later than 10 June 2004, two years from the date on which the Emergency Loya Jirga was convened.

IV. Human rights as a key feature of the transitional framework

14. The common determination to promote national reconciliation, lasting peace, stability and respect for human rights in Afghanistan is affirmed in the preamble to the Bonn Agreement. The Agreement stipulates that existing laws will be applicable to the extent that they are not inconsistent with the Bonn Agreement or with the international legal obligations to which Afghanistan is a party. It mandates the Interim Authority and the Emergency Loya Jirga to act in accordance with the basic principles and provisions contained in instruments on human rights and international humanitarian law to which Afghanistan is a party. The Special Representative of the Secretary-General is to monitor and assist in the implementation of all aspects of the Agreement. It is expressly provided that the United Nations will have the right to

investigate human rights violations and, when necessary, to recommend corrective action. It will also be responsible for the development and implementation of a programme of human rights education to promote respect for and understanding of human rights.

15. It is thus of critical importance to give effect to the commitment to ensure that the observance of human rights is a key feature of the transition process: political development founded on the implementation of civil and political rights, and economic reconstruction and social development based on the progressive implementation of economic, social and cultural rights. Human rights are thus to be fully integrated into the humanitarian, reconstruction and political activities undertaken during the transition, with the aim of building sustainable institutions that will support human rights, democracy and the rule of law.

V. Review of the human rights situation during the initial phase of the transition

16. The Special Rapporteur's visit to Kabul in January 2002 and to Herat in February brought home to him the enormity of the challenge faced by the Interim Authority and the people of Afghanistan. In his report to the Commission on Human Rights in March (E/CN.4/2002/43), he underlined the yearning of the people for peace, security and the rule of law. He therefore urged that the first priority should be to replace the rule of the gun by the rule of law, which would require building up a national police force, as well as other disciplined forces, for purposes of internal security and defence. He emphasized that for human rights to be restored, it would be necessary to disarm the country, collect the arms that were held by many groups under various local commanders and establish a national legal order based on respect for human rights and the rule of law. The Chairman of the Interim Administration and other leaders whom the Special Rapporteur met in January recognized that human rights were essential to all human beings and that the Constitution must secure the rights of all Afghans so that all ethnic groups could live in harmony. It is important to measure the progress that has been made towards these declared objectives.

VI. Violence and human rights abuses

17. In October and November 2001, in his report to the General Assembly and his briefing under the Arias formula to the Security Council, the Special Rapporteur issued specific warnings concerning the need to take special measures to protect civilians against the threat of ethnically motivated violence in areas where ethnic minorities identified with the earlier regime might be exposed to reprisals. Reliable reports from Balkh, Faryab, Samangan, Badghis and Kunduz indicated that as territories changed hands, scattered Pashtun communities in northern and central Afghanistan were especially vulnerable. There were also reports of a dozen incidents in Balkh, Samangan and Sar-i-Pul in January and February 2002. When these incidents were brought to the attention of the Interim Administration, a three-member commission headed by a Pashtun member of the Administration, Minister Noorzai, was entrusted with the task of investigating the incidents and taking corrective action. The capacity of the Interim Administration to take effective

measures was, however, clearly limited by the absence of an effective national police force and local law enforcement mechanisms, as well as by the fact that the 5,000 member International Security Assistance Force (ISAF) was deployed only in and around Kabul. The Interim Administration has requested that ISAF be strengthened and deployed in other parts of Afghanistan, but this has not yet been done.

18. Reliable reports from the north-western province of Faryab indicated that between February and early May, some 2,000 displaced Pashtun people in Badghis left their homes in Faryab in fear of persecution and that there was a refugee flow of some five to ten families from Faryab every day. Pashtuns were reportedly attacked in Ghowr, Badghis, Faryab and the northern province of Balkh and subsequently made their way to the Shaidayee internally displaced persons (IDP) camp in Herat. The human rights abuses included killings, beating, looting and sexual assault. Recognizing the need for effective measures in response to concerns expressed about security in northern Afghanistan, particularly in the district of Sholgare in Balkh province and in the northern province of Sar-i-Pul, in the first week of May General Rashid Dostom, General Atta and representatives of Hezbe Wahdat, Akhbari and Harakat Islami signed an agreement on the withdrawal of weapons and forces. As part of this agreement, a new police force was to be established. The Special Representative of the Secretary-General confirmed that efforts to verify the withdrawal of all militia forces would be made shortly. Despite these measures, there were reports in June that factional fighting had affected humanitarian agencies in and around the northern city of Mazar-i-Sharif. The violence included an attack on a clinic, armed assaults, beatings, shooting at a car delivering bread and the gang rape of a female aid worker on the road between Khulm and Mazar-i-Sharif. In mid-June, two aid workers were reportedly seriously wounded when they refused to give gunmen a ride.

19. During the same period, some 1,500 Pashtuns are reported to have fled to an IDP camp west of Mazar-i-Sharif. Reliable reports received in the course of May and June reflect concerns over what was described as deteriorating security conditions and alarming levels of violence in parts of northern Afghanistan. Reports from four districts of Faryab Province (Shrintagab, Daulatabad, Qaysar and Almar) indicated that abuse, extortion and violence targeting Pashtun and other vulnerable families continued in June. There were numerous reports of fighting between armed factions in Balkh and in areas around Mazar-i-Sharif. Robberies and killings of local Afghans have been reported from various parts of southern Afghanistan, ranging from Kandahar to Helmand.

20. In mid-June the Special Representative sent a letter to President Karzai describing the security situation in the north of the country as serious. The level of violence was said to be affecting the security and confidence of local residents, as well as the ability of aid workers to assist them. The letter appealed to the Administration to intervene strongly and urgently with local parties and authorities to secure the restoration of vital humanitarian space and to ensure that those committing such crimes were held accountable under the law. He also continued to raise this matter with local authorities and forces and with prominent members of the Loya Jirga able to exert authority and influence in the northern area, who promised to take urgent measures.

VII. Political assassinations

21. The Interim Administration phase suffered in February 2002 when the Minister of Civil Aviation and Tourism, Abdul Rahman, was assassinated at Kabul Airport. In April an attempt was made on the life of the Defence Minister in Jalalabad. A bomb exploded near his convoy, killing four people and injuring 20. The start of the Transitional Administration suffered a major setback with the assassination on 6 July of the Vice-President and Minister of Public Works, Haji Abdul Qadir, a powerful and respected Pashtun leader and former Governor of Nangarhar Province. He was gunned down by two unidentified assailants at the entrance to his office. President Karzai has appointed a five-member commission headed by Vice-President Karim Khalili to investigate the assassination, making use of the expertise of international investigators. The transition is thus seen to be vulnerable and fragile, underlining the need for significant strengthening of security. Although it was previously believed that security needed to be strengthened outside Kabul and that the capital was relatively secure owing to the presence of ISAF, the case for both strengthening ISAF in Kabul and expanding and extending it to other parts of Afghanistan is now compelling.

VIII. Prisoners

22. Attention was drawn to the plight of prisoners in the Special Rapporteur's reports to the General Assembly in November 2001 and to the Commission on Human Rights in March 2002. Overcrowding, malnutrition and disease were reported in particular in Sheberghan prison, which housed over 3,000 prisoners in November. Since prevailing conditions clearly did not respect minimum standards of humane treatment, these concerns were communicated to the authorities and to the International Committee of the Red Cross (ICRC).

23. ICRC started visiting places of detention under the Interim Administration and such visits are continuing. It had to intervene several times with respect to food assistance and improving the water supply, sanitation, hygiene, clothing and the like. A significant intervention was the establishment of a therapeutic feeding centre within Sheberghan prison, together with general food distribution.

24. In addition to such emergency action, prisoners have been released in batches as a means of alleviating prison conditions. Such releases were accelerated in May and by the end of that month the numbers in Sheberghan had been substantially reduced. As at 30 May about 1,100 prisoners remained.

25. Concerns have been expressed regarding continued detention of prisoners without trial, since the adjudication machinery does not yet function effectively. There is some concern about reports of women being detained for violating social codes. These reports need to be investigated by the Transitional Administration and also by the United Nations monitoring mechanisms, and prompt corrective action must be taken.

IX. Civilian casualties of military operations

26. There are reports that aerial bombing as part of the military operations of the coalition led by the United States of America has resulted in civilian casualties in a number of locations. On-site review of 11 locations indicates that, over a six-month period, air strikes killed as many as 400 civilians. On 1 July 2002, in Uruzgan Province air strikes on four villages around the hamlet of Kakrak resulted in the death of 54 civilians, most of them women and children. At least 120 people were wounded. United States officials acknowledged that the raid killed innocent civilians and sent a team to investigate, reportedly including a United States Air Force General. It is important that thorough high-level investigations be carried out to identify the causes of air strikes that result in civilian casualties. Prompt corrective action should be taken to avoid the recurrence of such incidents.

X. Human rights priorities: security, the rule of law and participatory democracy

A. Security

27. The need to strengthen an internal security force to protect citizens throughout the country against violence and the threats posed by armed groups that are still not under the effective control of the Transitional Administration has been repeatedly emphasized by President Karzai and members of his Cabinet, the Special Representative of the Secretary-General and the United Nations agencies in the field. An option widely recommended is the expansion of ISAF. The reports of violations of the human rights of ethnic minorities and vulnerable groups, including assaults and sexual abuse, clearly provide the strongest argument for according the highest priority to strengthening the internal security force available to the Transitional Administration. Building the institutional infrastructure for a participatory democracy requires as a precondition the disarming of armed groups under local commanders and warlords, some of whom were armed and equipped in the military operations launched by the international coalition to free Afghanistan from the Taliban regime. These elements must now be brought under the control of the Transitional Administration.

B. Rule of law

28. For the rule of law to be established, the rule of the gun must end. Disarming armed groups under local commanders is a necessary first step towards bringing people under the rule of law. The Disarmament Commission that is being established could play an important role in this regard, but to do so it must be seen to carry out its mandate impartially and it must have the ability to enforce its decisions. Life and property must be effectively protected and a national police force should be organized as a matter of the highest priority. A human rights-based approach to policing will involve special training and human rights education, a code of ethics and the establishment of an independent monitoring body. Local communities and the emerging provincial administrations must develop the capacity to protect the lives and property of ordinary citizens throughout the country against assaults by armed groups. The media and civil society must play an active role in

promoting the emergence of the rule of law, building the confidence of ordinary citizens and making them aware of their rights and the right of every person to equal protection under the law and to equality before the law. For people who have suffered oppression and violence for as long a period as the Afghans have, the nurturing of a participatory democracy requires a sustained and intensive campaign to make people aware of their rights and reassure them that the Transitional Administration is fully committed to empowering citizens, extending equal protection under the law to all citizens and upholding the principle of equality before the law.

C. Participatory democracy

29. With the ultimate aim of establishing a broad-based, gender-sensitive, multi-ethnic and fully representative government, as required by the Bonn Agreement, the Transitional Administration is entrusted with the task of adopting measures to enable all segments of the population to participate meaningfully in shaping structures of governance at the community, provincial and national levels. If free and fair elections are to take place within two years, the capacity of citizens meaningfully to participate in the processes of governance at the community and provincial levels needs to be consciously promoted. Civil society played an important role during the years when Afghans were effectively denied the possibility of governing themselves. A proactive civil society will be important in harnessing the energies of citizens in making choices and shaping policies during the transition process. The formation of a national parliament for the transition period has been entrusted to a 45-member commission consisting of five representatives from each of the nine regions. The establishment of committees and commissions for key follow-up actions reflects a participatory approach that should continue to be strengthened.

30. The successful conclusion of the Emergency Loya Jirga was characterized by the Special Representative of the Secretary-General as a crucial milestone in the Afghanistan peace process. He further observed that despite efforts to threaten and intimidate delegates, which the United Nations strongly condemned, most delegates did find the courage to raise controversial issues and make daring proposals.

XI. Commissions on human rights, the judiciary and the constitution

A. Independent Human Rights Commission

31. By a decree of 6 June 2002, the Interim Administration established the Independent Human Rights Commission. This was the result of an Afghan-led process of national consultations aimed at developing a national programme for the implementation of the human rights provisions of the Bonn Agreement. Eleven Commissioners were appointed, four of them women, to serve for two years. During their tenure they will not be subject to removal by any external authority. The Commission is to have its headquarters in Kabul and regional offices in Kandahar, Herat, Mazar-i-Sharif, Faizabad, Jalalabad, Gardez and Bamyan. It is to be supported by a full-time professional secretariat.

32. The mandate of the Commission is: (a) to monitor the situation of human rights throughout the entire country; (b) to investigate allegations of violations of human rights; (c) to develop recommendations for building and strengthening national human rights capacities and institutions; (d) to work with partner institutions to develop and implement human rights education activities, including through the incorporation of human rights issues into national educational curricula at all levels and through the mass media; (e) to undertake national consultations and propose a national strategy for transitional justice and for addressing the abuses of the past; (f) to submit opinions, recommendations, proposals and reports to local, regional and national authorities for the promotion and protection of human rights; (g) to promote the harmonization of national law and practice with international human rights instruments to which Afghanistan is a party; (h) to provide advice and information to authorities that deal with the country's human rights treaty reporting processes; and (i) to cooperate with the United Nations and other international organizations on all matters within the Commission's competence.

33. The Commission is empowered to consider any questions falling within its competence, whatever the source of the proposal or referral, and has the authority to initiate its own inquiries and investigations. It may also hear any person and obtain any information, evidence or documentation necessary to assess situations and cases falling within its competence. In redressing and resolving matters that come before it, the Commission has a range of available options: it can (a) seek amicable settlement through conciliation, adopting any decisions or confidential measures that it sees fit; (b) inform petitioners of their rights and available remedies within the national legal system and international mechanisms and advise petitioners how to access them; (c) refer petitioners to the courts or transfer cases to other competent authorities; and (d) make recommendations to the authorities for remedial legal or administrative action. The Special Representative of the Secretary-General had his first formal meeting with the Independent Human Rights Commission on 23 June and reaffirmed the support of the United Nations for the Commission's work.

B. Judicial Commission

34. The Judicial Commission was also established by the Interim Administration by a decree of 6 June 2002. It is an independent expert body entrusted with the task of making recommendations on any action necessary for rebuilding the justice system in Afghanistan. It is to work in close consultation and cooperation with the Ministry of Justice and other governmental and non-governmental bodies to (a) organize a comprehensive programme of compiling, publishing and distributing all laws in force in Afghanistan; (b) propose changes or amendments to existing laws; and (c) recommend new legislation, as necessary, for the proper administration of justice.

35. The guiding principles to be taken into consideration by the Judicial Commission in fulfilling its mandate are set out in a schedule to the decree. These include (a) ensuring the establishment of an independent judicial authority in accordance with the 1964 Constitution and international instruments ratified by Afghanistan; (b) creating a separate chamber within the Supreme Court as a constitutional court with jurisdiction over interpretation of the new constitution and the authority to make rulings on the constitutional validity of Afghan laws and regulations and on alleged human rights violations in contravention of the new

constitution; (c) establishing a high judicial council, consisting of senior members of the judiciary, to administer and oversee the justice sector, which will have its own budget and powers in relation to (i) the appointment, promotion, transfer and discipline of judges; (ii) preventing intervention in or influence of judicial proceedings by executive or other authorities; and (iii) other matters on which guiding principles have been adopted by the United Nations.[1]

C. Constitutional Commission

36. According to the Bonn Agreement, the Constitutional Commission is to assist the Constitutional Loya Jirga in connection with the adoption of a new constitution for Afghanistan. It is expected that the Commission will engage in extensive consultations with citizens. The Commission is also expected to reflect in the new constitution Afghanistan's commitment to uphold and enforce human rights pursuant to its obligations under the international human rights instruments to which it is a party.

XII. United Nations approach to human rights in Afghanistan

37. Under the Bonn Agreement, the United Nations is to ensure that the commitments undertaken by the Transitional Administration are effectively fulfilled, which necessarily involves providing the required support to Afghan initiatives for the implementation of the Bonn human rights provisions and sustaining that support throughout the process.

38. In performing its role, the United Nations will seek to ensure (a) fully integrated United Nations responses and mechanisms; (b) maximized Afghan ownership and leadership; and (c) a rights-based and gender-sensitive approach. Its human rights programme, developed on the basis of these principles, places emphasis on Afghan capacities, Afghan institutions, and a strong and close operational alliance between the Afghan Transitional Administration, the Independent Human Rights Commission and Afghan civil society organizations. The United Nations will use its existing human rights capacities to provide technical support, and the bulk of its integrated effort will be directed towards facilitating Afghan processes and institutions.

39. A Senior Human Rights Adviser was assigned to work with the Special Representative of the Secretary-General on facilitating Afghan national consultations on the implementation of the human rights provisions of the Bonn Agreement. Through these consultations, a national roster of members of the Afghan human rights community was compiled. A human rights focal point was established in the Interim Administration and targeted consultations were held with key persons on the roster in order to develop the broad parameters for the development of the national programme for implementing the human rights provisions of the Bonn Agreement.

[1] These include: General Assembly resolutions 40/32 and 40/146; Basic Principles on the Role of Lawyers; Guidelines on the Role of Prosecutors; Standard Minimum Rules for the Treatment of Prisoners; Code of Conduct for Law Enforcement Officials; Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

40. The first national workshop on human rights was held on 9 March 2002 with 80 Afghan participants. President Karzai, a number of civil society leaders and government ministers, the United Nations High Commissioner for Human Rights and the Special Representative of the Secretary-General addressed the workshop. The following four matters were considered: (a) the proposed independent human rights commission; (b) a national programme of human rights education; (c) a transitional justice system; and (d) gender and the rights of women. After reviewing all the Bonn human rights commitments, the workshop established standing national working groups on each of these questions, plus one on strategies for human rights monitoring and investigations.

41. Following intensive consultations and technical preparations by the working groups, with support from the United Nations, four more national workshops were convened in May 2002 on (a) human rights education; (b) human rights monitoring, investigations and transitional justice; (c) the human rights of women; and (d) the establishment of an independent human rights commission.

42. This national human rights programme now awaits implementation. The importance of providing the required financial and technical support for the implementation of this programme cannot be overestimated. The success of the transition process depends upon the implementation of the human rights programme.

43. The basic objective of the transition process is to restore Afghanistan to its people. This objective must be achieved through a democratic participatory process that will enable the Afghan people to adopt a constitution, establish an independent judiciary, establish a representative parliament through free and fair elections and create a fully representative government.

XIII. Gender and the rights of women

44. The Bonn Agreement directs the United Nations to ensure that a rights-based and gender-sensitive approach is applied in all aspects of its work. The national consultations identified a number of priority tasks as part of the programme for advancing the human rights of women. A two-year programme will have among its aims: (a) establishing a women's rights unit in the Independent Human Rights Commission; (b) a participatory national assessment of programme needs for the advancement of women's rights; (c) training and information activities on women's rights for key government officials; (d) review of key laws affecting women's rights; and (e) legal education and studies on gender in the legal system of Afghanistan.

45. While concerted national efforts are under way to address the issue of gender and women's rights, international human rights bodies expressed concern as recently as early May 2002 about the effect of ongoing insecurity in Afghanistan on women. Reports indicated that women of all ethnicities felt compelled to restrict their participation in public life to avoid being targets of violence by armed factions and elements seeking to enforce the repressive edicts of the previous regime, especially outside Kabul. There were other reports, however, that women in southern Afghanistan were undeterred by such intimidation. Initially, 28 women were selected for the Loya Jirga, including one in Helmand and four in Uruzgan. Eventually some 200 women were among the more than 1,500 delegates selected for the Loya Jirga.

46. In its resolution 2002/19 of 22 April 2002, the Commission on Human Rights noted with deep concern recent abuses and violations of the human rights of women and girls, including rape and other forms of sexual violence, abductions and kidnappings, as well as forced marriage and trafficking. It urged the Government to give high priority to the ratification of the Convention on the Elimination of All Forms of Discrimination against Women and to respect fully the human rights and fundamental freedoms of women and girls in accordance with international human rights law. The urgent measures recommended by the Commission are reproduced below in section XVII of the present report.

47. The report of the Secretary-General on the situation of women and girls in Afghanistan (E/CN.4/Sub.2/2002/27) submitted to the Subcommission on the Promotion and Protection of Human Rights contains detailed recommendations that emphasize in particular the need for women's full participation in political decision-making and the importance of a rights-based and gender-sensitive approach to relief, reconstruction and development. The report contains specific recommendations for action to be taken at the national and international levels for that purpose. These recommendations merit serious attention and effective and early implementation.

XIV. Transitional justice

48. At the national human rights workshop in March 2002, the issue of major human rights violations in the past, a legacy of massacres and mass graves, was among the matters that arose for discussion. In his opening statement to the workshop, President Karzai addressed this issue as follows:

> "Another important matter to consider is the question of the violations of the past. I cannot say whether the current Interim Administration has full authority to address this. But it is my hope that the Loya Jirga government will have the authority to establish a truth commission and ensure that the people will have justice. The people of Afghanistan must know that there will be a body to hear their complaints. Indeed, we must hear what the people have to say. Mass graves have been found in which hundreds are buried, houses and shops have been burned, so many cruel acts, and about which nothing has been heard or known before. So many of our people have been murdered. Mothers killed as they embraced their children, people burned, so much oppression, so many abuses. This is why a truth commission is needed here to protect our human rights and to heal the wounds of our people."

49. The workshop established a national working group on transitional justice. Through consultations the group developed a programme that includes the establishment of a Transitional Justice Unit in the Independent Human Rights Commission. It also envisages nation-wide consultations leading to a national policy, strategy and programme for transitional justice and the development of a secure database for the collection and storage of information and evidence on war crimes, crimes against humanity and gross violations of human rights, as well as the development of domestic forensic capacity.

50. Questions have arisen regarding the role of certain persons in the Emergency Loya Jirga who may have been responsible for major human rights violations. In his message to the Emergency Loya Jirga President Karzai urged that, when electing their representatives, Afghans should put the interests of the country and its people

above their personal and group interests and should elect those who have not been involved in the killing of the people of Afghanistan and who are not accused of looting and plundering public and private properties.

51. Following his election, in his first speech President Karzai said: "Can we have justice and peace at the same time? Or do we have to build peace slowly and surely and then turn to the justice which the Afghan needs? If we can, it would be great. Can we do it? Let's see". Transitional justice is thus on the national agenda. This is a matter that should seriously engage those who will be involved in national consultations on transitional justice. It is noteworthy that the Presidential Decree on the Dignified Return of Refugees, issued on 22 December 2001, granted returnees immunity from criminal prosecution, except for those who may have committed crimes against peace or humanity or a war crime, as defined in international instruments.

XV. National reconstruction and development: economic and social rights

52. As Afghanistan embarks on the new phase of its transition, the challenges of economic and social development, national reconstruction and achieving sustainable livelihoods confront the Afghan people, including over a million refugees who have returned and several million who are expected to follow if the process moves ahead. As a leading humanitarian agency reported in June 2002, the terrorism that oppresses the Afghan people has now taken a different form. Three years of drought and crop failures have created the worst famine in 75 years. The United Nations estimates that 7 million Afghans now face the threat of starvation. Seventy per cent are already malnourished and only 13 per cent have access to clean water. About 5 million have been displaced from their homes. One in four Afghan children will not make it to their fifth birthday. One in three is an orphan, and one in two is malnourished. In addition, the country is infested with 5-7 million landmines, which kill an estimated 10 Afghans every day. Many families are barely surviving on limited food shipments from the World Food Programme (WFP).

A. Food

53. A report issued by the Food and Agriculture Organization of the United Nations (FAO) notes that while rural indebtedness is a chronic problem, the protracted drought has left countless small and medium-sized farmers heavily in debt. Many IDPs have been selling non-food relief items to get cash either to buy food or to begin paying debts. Small and not-so-small farmers are losing their land. There is a great need for cash and institutional support in the form of a national microcredit programme, which would significantly contribute towards the rehabilitation of these farmers. Another recent study, based on fieldwork done between January and May 2002, underlines the widespread food insecurity. This situation is the result of multiple factors, including natural and man-made hazards and people's reduced ability to cope.

54. The continuing effects of the protracted drought are still being felt. Although it has eased in the north and west, the drought persists in the central and southern regions. Despite some positive developments, there is still a need for targeted,

balanced and long-term programmes of food assistance. Among the measures recommended for addressing food insecurity are (a) a multi-year strategy of assistance that would include expanded relief and development assistance; (b) principled humanitarian engagement to alleviate food insecurity; and (c) specific sectoral interventions, including the immediate provision of water, cash infusions, microfinance and restoration of road networks.

55. WFP, which is the largest humanitarian agency working in Afghanistan, faces a significant deficit. It has received $183 million so far this year, which is only two thirds of what it needs to feed some 9 million people. According to current WFP estimates, the agency still faces a huge shortage of 175,000 tons of food.

56. Funds and food are urgently needed both to meet survival needs and for priority reconstruction projects. The pledge of $4.5 billion over five years appears to be based on cost estimates from unidentified countries that received international assistance of $40 to $80 per capita annually for post-conflict recovery programmes. By contrast, aid to the Balkans and East Timor ranged from $200 to $300 per capita annually. Comparable levels of aid for Afghanistan would translate into an annual figure of at least $5 billion, which is far greater than the pledges made at Tokyo. It is therefore imperative that the essentially modest pledges made be fully honoured and that funds be made available in a timely manner. There is also a need to ensure that the assistance is equitably distributed throughout Afghanistan and, in particular, that it reaches the remote areas and the most vulnerable sectors of the population.

57 WFP rapid emergency assessments indicate rises in all of the following distress indicators: sale of assets, labour migration, consumption of wild foods, spiralling debt, begging, early marriage of girls as young as 7 years of age and indentured labour of boys. A shortage of the food resources needed to maintain or commence the Food-for-Asset Creation and Food-for-Work Programmes has meant a slowdown or suspension of the rehabilitation activities targeted for 6 million rural Afghans. As a result of the food aid shortages, the already stressed coping mechanisms used by struggling women and men are at risk of complete breakdown and destitution threatens to spread in communities that are already desperately poor.

58. The current emergency operation still faces a shortfall of more than 175,000 tons of food worth approximately $102 million, or 36 per cent of the total requirements. As a result, many of the most vulnerable women, men and children will receive reduced food assistance or none at all when they critically need it. It is essential that resources be made available before the onset of heavy snows in order to enable food to reach remote areas, where an estimated 4 million people are at risk.

B. Critical resource shortages

59. The Afghanistan Support Group meeting in Geneva on 11 July 2002 drew attention to the serious delay in fulfilling the funding commitments made in Tokyo. The Group was concerned that many of the most vital programmes, including those related to repatriation of refugees, education and health care, were in serious jeopardy as a result of the delay. It was pointed out that the funding crisis and the refugee, IDP and food aid problems could drastically erode the gains of recent months. Most alarming was the funding slowdown over the preceding three months in the midst of the critical pre-harvest period, when hunger was greatest.

60. The overall international assistance programme that started on 1 October 2001 was a 15-month programme for $1.6 billion. Since 1 October, some $820 million have been received. The bottom line therefore is that $777 million are needed by the end of the year, of which nearly $400 million are needed in the third quarter.

C. Narcotics

61. In 1999 the country was the source of 70 per cent (450 tons) of the global production of heroin. This year's production, estimated by the United Nations Office for Drug Control and Crime Prevention, could be as high as 200-250 tons. The Office is implementing a broad range of projects aimed at strengthening Afghanistan's drug control capacity. Its Drug Control Programme includes monitoring of illegal crops. International support is needed to assist Afghanistan in building its law enforcement capacity also in this context and in implementing drug demand reduction projects and to provide Afghan farmers with sustainable alternative livelihoods.

D. Mines

62. Afghanistan is one of the countries most afflicted by mines and unexploded ordnance (UXO). It is estimated that 850 km^2 are affected. There are some 200,000 survivors of mine and UXO accidents, and prior to the events of late 2001, the death and injury rate was 150-300 per month. The mine and UXO problem in Afghanistan has been exacerbated by recent military activities, with new areas being contaminated by UXO and additional mines being laid as forces shift throughout the country. Many large ammunition depots in major towns have been hit by air strikes, which can spread UXO over as much as a 5 km radius. Mine and UXO injuries have escalated owing to new contamination and population movement, as people shift into unfamiliar areas to avoid fighting or return to newly secure locations.

63. The following mine and UXO clearance operations are ongoing and need to be continued on a priority basis:

(a) In the high-priority mine and UXO contaminated area, 23,825,611 m^2 were cleared during the first quarter of 2002. A further 75,000,000 m^2 should be cleared by the end of 2002;

(b) Five regional mine action centres, the centres in the central (Kabul), southern (Kandahar), eastern (Jalalabad), northern (Mazar) and western (Herat) regions, are now operating. New regional suboffices will also be established in Bamyan, Gardez and Kunduz in order to respond to the new United Nations eight-area structure;

(c) Clearance operations have returned to 100 per cent of previous capacity, but ongoing security constraints have prohibited the re-establishment of operations in some areas. To address needs in high priority areas, these security constraints are being closely monitored. Based on a recent assessment mission to the provinces of Paktia and Paktika as well as the Tora Bora region, clearance and survey capacities are being re-established in those priority areas;

(d) The clearance of BLU 97 cluster munitions has been a high priority activity in all regions and new procedures have been put in place to address the new

post-11 September threat. Clearance of cluster munitions is being achieved at a rate faster than anticipated.

XVI. Refugees

64. The Office of the United Nations High Commissioner for Refugees (UNHCR) has assisted more than a million Afghans in returning home from Pakistan and more than 83,000 from the Islamic Republic of Iran. UNHCR has stressed that more funds are needed if the goals of the repatriation programme are to be achieved. These goals include the voluntary return, by the end of the year, of up to 400,000 Afghans living in Iran. As at 31 May, UNHCR had received $180 million of its total budget of $271 million towards its assistance programmes for Afghan refugees and returnees. On that basis, UNHCR had funding only until the end of June. Lack of funding would severely constrain its capacity to provide the necessary support to returning refugees, including travel grants, basic housing, water projects and assistance towards establishing sustainable livelihoods for returning refugees.

65. On 22 December 2001, to encourage the return of refugees, the Interim Administration issued the Presidential Decree on the Dignified Return of Refugees, welcoming them and assuring them protection against harassment, intimidation, discrimination or persecution for reasons of race, religion, nationality, membership in a particular social group, political opinion or gender. The returnees were also granted immunity from criminal prosecution, except for those who may have committed crimes against peace or humanity or a war crime, as defined in international instruments. The human rights and fundamental freedoms of returnees were guaranteed and the recovery of their properties will be facilitated through relevant legal organs. UNHCR and other international agencies were to be allowed to monitor the treatment of returnees to ensure compliance with recognized humanitarian law and human rights standards.

66. Over 3 million people are still to be repatriated. The repatriation process cannot be sustained without more funding. Some caution is being expressed about further accelerating repatriation before adequate funds are made available to ensure the provision of food and basic services, as well as protection from criminal assaults, banditry, factional fighting and landmines.

67. Despite the return of nearly 1.3 million refugees, the situation of certain special categories merits attention. Some 25,000 asylum-seekers are stranded in the border area of Chaman, unable to cross into Pakistan, and UNHCR and other humanitarian organizations cannot assist these refugees properly. Some 35,000 Afghans are barely being assisted in IDP camps in Spin Boldak, an Afghan border town located a few kilometres from Chaman. UNHCR reports that conditions of reintegration in southern Afghanistan appear very difficult. The whole southern region has suffered from severe drought for the last four years. The continuous fall of the water table has resulted in many wells running dry, and many areas are without water. The area around Kandahar is still the most drought-affected region in Afghanistan. Significant economic regeneration of that region cannot be expected before badly needed water conservation measures are put in place. Until then, many people will be unable to return to their place of origin. In facing these special problems, UNHCR has begun to consider the concept of community-based settlements for IDPs as a means of integrating new groups into a social and

economic fabric. Such innovative approaches will be needed to carry out the integration of special categories of IDPs.

XVII. Recommendations

Human rights-based implementation of the Bonn Agreement

68. **For the realization of the ultimate aim of the Bonn Agreement — the emergence of a broad-based, gender-sensitive, multi-ethnic and fully representative government — it is imperative that a human rights-based strategy be adopted. The Transitional Administration is expected to promote participatory governance at all levels and to engage in extensive consultations in carrying out its work. The commissions established by it should visibly involve all sectors of the Afghan populace.**

Security

69. **The highest priority has to be accorded to security in order to protect lives and property. The building of a national army, which has begun, needs to be accelerated. In the meantime, ISAF must be expanded and deployed wherever needed beyond Kabul and its environs.**

Rule of law

70. **The rule of the gun must be replaced by the rule of law. A national human rights-sensitive police force must be developed in order to carry out law enforcement effectively and impartially. Urgent action should be taken to review prison conditions to ensure that prisoners are treated humanely, in conformity with internationally recognized standards.**

Judicial Commission: an independent judiciary and criminal justice system

71. **The Judicial Commission should take urgent steps to establish and develop an independent and impartial judiciary. The restoration of the rule of law requires a functioning criminal justice system that conforms to international legal standards relating to human rights. Such a system is also needed to guarantee that perpetrators of human rights abuses, including those responsible for abuses in the past, are held accountable for their acts.**

Independent Human Rights Commission

72. **The broad mandate of the Independent Human Rights Commission will enable it to contribute significantly to the overall improvement of the human rights situation. However, in order to make such a contribution, the Commission needs to have substantial resources allotted to it. The human rights education programme should be accorded special priority.**

Freedom of the press and autonomy of the electronic media

73. **The media could play a vital role in promoting the culture of democracy, tolerance and mutual respect for rights that is essential for sustaining a multi-ethnic and gender-sensitive State. Therefore the media, in particular autonomous electronic media, should be developed as a matter of the highest priority.**

Women

74. **Urgent measures were recommended by the Commission on Human Rights, in paragraph 13 of its resolution 2002/19, to improve the human rights situation of women and girls. The following issues should be addressed immediately:**

(a) The repeal of any legislative and other measures in place that discriminate against women and girls and that impede the realization of their human rights and fundamental freedoms;

(b) The full, equal and effective participation of women in civil, cultural, economic, political and social life throughout the country at all levels;

(c) Respect for the equal right of women to work and their reintegration into employment in all segments and at all levels of Afghan society;

(d) The equal right of women and girls to education without discrimination, the reopening of schools throughout the country and the admission of women and girls to educational programmes at all levels;

(e) Respect for the equal right of women and girls to personal physical security, ensuring that those responsible for physical attacks on women are brought to justice;

(f) Respect for the freedom of movement of women and girls;

(g) Respect for the effective and equal access of women and girls to the facilities necessary to protect their right to achieve the highest possible attainable standards of physical and mental health.

Urgent international support to meet humanitarian and recovery needs

75. **The funds pledged at Tokyo have to be provided urgently. Delay in the provision of funds could cause serious damage to the transition in which Afghanistan and its people are currently engaged. The Immediate and Transitional Assistance Programme for the Afghan People, 2002 calls for support from the international community in recognition of its special responsibility towards the Afghan people. The Programme has the following strategic objectives:**

(a) To address the ongoing humanitarian crisis with a combination of emergency and recovery programming;

(b) To support the massive return of refugees to Afghanistan with a combination of assisted return and coherent reintegration and recovery programmes for relevant communities;

(c) To develop a comprehensive analysis of and approach to widespread vulnerability in Afghanistan through the consolidation and analysis of information, the development of integrated programming to address the needs of the most vulnerable communities and households, and the establishment of longer-term social and economic recovery;

(d) To provide ongoing support for an effective transition, consistent with the National Development Framework, based on a transfer of competence, ownership and technical capacity to the Afghanistan Transitional Administration at central and provincial levels, culminating in a measurable reduction of the United Nations presence in Afghanistan;

(e) To support decentralization and integration of assistance programming and coordination responsibilities in the provinces based on strengthened linkages between central and provincial planning activities, the development of technical and programme management capacities within provincial offices, and stronger collaboration between authorities and assistance partners at the local level.

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Human resources management

Consultants and individual contractors

Report of the Secretary-General**

Summary

The present report, which covers consultants and individual contractors during 2001, is submitted pursuant to General Assembly resolution 53/221 of 7 April 1999, in which the Secretary-General was requested to report on consultants hired by the United Nations during the preceding year.

During the 2001 reporting period, the Integrated Management Information System (IMIS) Release III, was still being installed at certain offices away from Headquarters. As a result, some of the data on which the present report is based was collated from legacy systems for the earlier part of the reference period and from IMIS during the latter part. Since the two data collection systems are incompatible in significant ways, issuance of the present report was delayed owing to the extra time needed to account for changes in data gathering methodology and the need to validate aggregated data. Now that the IMIS Release III implementation has been completed for 2001 at the eight major duty stations away from Headquarters, this problem is not expected to recur for 2002 data.

* A/57/150.

** The submission of the present report was delayed in order to obtain data from offices away from Headquarters.

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1. The General Assembly, in section VIII, paragraph 4, of its resolution 53/221 of 7 April 1999, requested the Secretary-General to continue to submit an annual report to the Assembly on consultants hired by the United Nations during the preceding year, with an indication of their functions. The present report also responds to requests made by the General Assembly in resolution 51/226, section VI, paragraph 7, and by the Advisory Committee on Administrative and Budgetary Questions (see A/51/533, para. 44, and A/53/691, sect. III, para. 15).

2. For the 2001 reporting period, data on consultants and individual contractors is available in the database of the Integrated Management Information System (IMIS). However, the deployment schedule of IMIS Release III (finance) in offices away from Headquarters in 2001 did not provide for coverage for a full 12 months in all duty stations. As a result, it has not been possible to present IMIS-based comparable information on a worldwide basis. For example, at the Economic and Social Commission for Asia and the Pacific (ESCAP), IMIS data covered 10 months in 2001, but at the United Nations Office at Nairobi, IMIS covered only six months. The existing Paradox database maintained by the Office of Human Resources Management has therefore continued to combine the available IMIS data with data obtained directly from overseas duty stations. This problem should not recur for the 2002 reporting period.

3. For the reporting year 2001, a systematic collection of occupational data has been prepared for the purpose of this exercise. It is based on the United Nations common system denominator, the Common Classification of Occupational Groups (CCOG).

4. The present report records all engagements with a starting date in 2001. The duration of contracts and the fees paid to consultants and individual contractors are presented for the entire contractual period, even in those cases where the work involved extended beyond 2001. In the same manner, contracts that had begun before 2001 are not included, even if they continued into that year.

5. A comparison with the 2000 recalibrated data reveals an increase in numbers of both consultants (246 or 8 per cent) in 2001 and individual contractors (183 or 13.9 per cent). The number of days worked by consultants in 2001 as compared with 2000 has increased (by 20.8 per cent), as has the number of days worked by individual contractors (39.2 per cent increase). The average contract duration for consultants in 2001 has increased by 12.5 days and for individual contractors by 22 days (not all days in a contract period need be workdays). The total number of consultants and individual contractors as compared with 2000 data shows a 9.8 per cent increase. There is a 7.5 per cent increase in the number of contracts, a 27.7 per cent increase in days worked and an 11.9 per cent increase in fees in 2001 as compared with 2000.

6. Combined expenditures in 2001 on consultants ($36.6 million) and individual contractors ($10.3 million) amounted to $46.9 million. Since 2000, total fees have increased by $3.4 million (10.3 per cent) for consultants and by $1.4 million (16.6 per cent) for individual contractors. In 2001, the average daily cost was $114.60 for a consultant and $56.90 for an individual contractor. Compared with 2000, the average daily cost for a consultant in 2001 was $10.90 less, and $11.90 less for an individual contractor.

7. Table 1 (see annex) summarizes the number of persons engaged and the number of contracts by type for 2001. It indicates the number of women engaged, as well as work performed by former staff and also shows the educational levels and performance evaluations for consultants and individual contractors. In 2001, a total of 3,300 persons were engaged as consultants. Of that number, 886 persons (26.8 per cent) were women, 47 were retirees, 37 were non-retired former staff aged 60 years or over and 149 were non-retired former staff under age 60. A total of 4,204 contracts were issued for consultants during the year. In 2001, there were 1,497 persons engaged as individual contractors for a total of 2,939 contracts. Just over half (758) of the individual contractors were women, 22 were retirees, 27 were non-retired former staff members aged 60 years or over and 82 were non-retired former staff under age 60. Activities by consultants during the year totalled 10,726 person-months (97.5 days work per consultant on average) and those by individual contractors totalled 6,034 person-months (121 days work per contractor on average).

8. Table 2 (see annex) summarizes the number of persons engaged, the number of contracts awarded, the total number of days worked and total fees, by nationality and contract type, for 2001. Consultants were engaged from 156 countries (four countries more than in 2000); 19 countries accounted for 51.8 per cent of all consultants engaged (Argentina, Australia, Brazil, Canada, Chile, China, Ethiopia, Finland, France, Germany, India, Italy, Kenya, the Netherlands, the Russian Federation, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America). For individual contractors, engagements were from 116 countries (nine countries more than in 2000): in this category, 11 countries accounted for more than two thirds (66.5 per cent) of all engagements (Argentina, Canada, Chile, China, Egypt, Ethiopia, France, Lebanon, Spain, the United Kingdom and the United States). In terms of fees for consultants, nationals from 19 countries accounted for nearly two thirds (64.1 per cent) of the total expenses (Argentina, Australia, Brazil, Canada, Chile, China, Ethiopia, Finland, France, Germany, India, Italy, Kenya, the Netherlands, the Russian Federation, Sweden, Switzerland, the United Kingdom and the United States). For individual contractors, engagements from 11 countries accounted for over two thirds (71.2 per cent) of fees (Argentina, Canada, Chile, China, Ethiopia, France, Kenya, Lebanon, Spain, the United Kingdom and the United States).

9. Table 3 (see annex) shows a breakdown of the purpose of engagement of consultants and individual contractors. With consultants, the main purposes of engagement, worldwide, related to administrative services (19.8 per cent), advisory services (14.9 per cent), programme implementation (7.5 per cent) and special analytical studies (5 per cent), among others. For individual contractors, the bulk of engagements related to administrative services (28.2 per cent), the preparation of meetings (3.2 per cent) and to training activities (2.6 per cent).

10. Table 4 (see annex) shows the engagement of consultants and individual contractors in terms of the occupational groups that are codified in the Common Classification of Occupational Groups by job family level. With consultants, international trade economists constitute the largest occupational group and comprise 281 persons (3.9 per cent of all occupations). Other occupational groups that are strongly represented among consultants include economists (235 persons, 3.3 per cent), public administration specialists (171 persons, 2.4 per cent), international law specialists (97 persons, 1.3 per cent), political scientists (89 persons, 1.2 per cent) and sociologists (86 persons, 1.2 per cent). For individual

contractors, the largest occupational group represented is translators and revisers (256 persons, 3.6 per cent). Other relevant groups are contractors for support related work (213 persons, 3 per cent), teachers (195 persons, 2.7 per cent), surveyors (168 persons, 2.3 per cent) and public information related contractors (134 persons, 1.9 per cent).

11. Table 5 (see annex) summarizes information on the duration of contracts that began in 2001. The bulk of the contracts were for less than three months (63.7 per cent of the consultants and 67 per cent of the individual contractors). The duration of another 21.9 per cent of consultant contracts and of another 26.8 per cent of individual contractor contracts lasted between three and six months, while 14.4 per cent of consultants and 1.2 per cent of individual contractors had a contract that continued beyond six months, but less than 24 months.

12. Table 6 (see annex) summarizes the time actually worked for contracts that commenced in 2001. Just under half of all consultant engagements (44.5 per cent) and of all contractor engagements (45.9 per cent) were for less than one month; 22 per cent of consultant contracts and 17.9 per cent of individual contractor contracts were between one and three months; and 33.5 per cent of consultant contracts and 36 per cent of contractor engagements extended beyond three months up to six months.

13. Table 7 (see annex) sets out the use of consultants and individual contractors by department, gender, level of education, duration of contract and evaluation of performance. The departments and offices that made the most use of consultants and individual contractors in 2001 were the Economic Commission for Latin America and the Caribbean (ECLAC) at 20.2 per cent, the Economic Commission for Africa (ECA) at 11.7 per cent, the United Nations Conference on Trade and Development (UNCTAD) at 9 per cent, the Department of Economic and Social Affairs at 8.5 per cent, ESCAP at 5.7 per cent, the United Nations Office at Geneva at 5.8 per cent, and the United Nations Office at Nairobi at 4.1 per cent. All seven entities were more dominant with regard to consultants alone, where they accounted for nearly two thirds (65 per cent) of all persons engaged. The difference in terms of gender between the use of consultants and that of individual contractors did not change much in 2001. Among consultants, women represented 27.1 per cent of persons engaged (compared to 28.2 per cent in 2000), whereas among individual contractors, their representation rose slightly to just over gender parity (50.6 per cent).

14. In terms of the educational level of consultants and individual contractors, the 2001 data show that over a third (35.3 per cent) of the persons held a second university degree and over a quarter (20.1 per cent) held a first university degree. More than 29.4 per cent of the persons held an advanced university degree and 6.3 per cent had no university degree. A majority of performance evaluations, 88 per cent, were either good or excellent, with only 2.2 per cent reflecting an acceptable or unsatisfactory performance. In respect of the remainder, performance data is not available.

15. Table 8 (see annex) shows fees paid to consultants and individual contractors by source of funding. Data on expenditures are derived from IMIS for Headquarters departments and offices and from individual updates submitted by offices away from Headquarters. In 2001, a total of $46.9 million was paid in fees to consultants and individual contractors from all sources of funds: this was $4.96 million more than in 2000 (an overall increase of 11.8 per cent). As indicated in paragraph 6 above,

consultants were paid $36.6 million (23.9 per cent from the regular budget and 76.1 per cent from extrabudgetary sources) and individual contractors were paid $10.3 million (49.7 per cent from the regular budget and 50.3 per cent from extrabudgetary sources). Fees paid to consultants engaged by the United Nations Conference on Trade and Development (UNCTAD), the Department of Economic and Social Affairs, the United Nations Office at Nairobi and the Economic Commission for Africa were mainly for technical cooperation projects. The figure for the regional commissions — the Economic Commission for Africa, the Economic Commission for Europe, the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, and the Economic and Social Commission for Western Asia — was 14.8 per cent. Over three quarters of the total fees paid to individual contractors in 2001 were accounted for by the Department of Public Information, the Economic Commission for Africa, UNCTAD, the United Nations Office at Nairobi, the United Nations Office at Geneva and the Department of Management.

16. Table 9 (see annex) presents aggregate data for each duty station on institutional contractors engaged in 2001. Institutional or corporate contractors are institutions that provide goods or services to the United Nations on a contractual basis (see ST/AI/327). The total expenditure was $25.5 million in 2001. The $10 million increase (66 per cent as compared with 2000) can be attributed in part to the improved recording of these types of contracts in IMIS (particularly at Headquarters) and to the inclusion this year of data from the International Tribunal for the Former Yugoslavia. In 2001, 234 more institutional contractors (73.4 per cent) were engaged than in 2000, for 442 more contracts. The largest increases in numbers of contractors, numbers of contracts and duration and expenditure of contracts were at Headquarters, the Economic Commission for Africa, the International Criminal Tribunal for Rwanda, UNCTAD, the United Nations Office at Geneva (including ECE) and the United Nations Office at Nairobi.

17. Pursuant to the request of the General Assembly in its resolution 55/258 of 14 June 2002, and in its decision 56/460 of 24 December 2001, and as indicated in the report of the Secretary-General (A/56/834), a study was undertaken by the Secretariat on the question of geographical representation of consultants and individual contractors. The Secretary-General submitted his report on this study to the Committee for Programme and Coordination at its forty-second session (see E/AC.51/2002/3).

Annex

List of acronyms

CCOG	Common Classification of Occupational Groups
DDA	Department for Disarmament Affairs
DESA	Department of Economic and Social Affairs
DGAACS	Department of General Assembly Affairs and Conference Services
DM	Department of Management
DPA	Department of Political Affairs
DPI	Department of Public Information
DPKO	Department of Peacekeeping Operations
DPKO/FALD	Department of Peacekeeping Operations/Field Administration and Logistics Division
ECA	Economic Commission for Africa
ECE	Economic Commission for Europe
ECLAC	Economic Commission for Latin America and the Caribbean
EOSG	Executive Office of the Secretary-General
ESCAP	Economic and Social Commission for Asia and the Pacific
ESCWA	Economic and Social Commission for Western Asia
ICSC	International Civil Service Commission
ITFY	International Tribunal for the Former Yugoslavia
ICTR	International Criminal Tribunal for Rwanda
OCHA	Office for the Coordination of Humanitarian Affairs
ODCCP	Office for Drug Control and Crime Prevention
OHCHR	Office of the United Nations High Commissioner for Human Rights
OIOS	Office of Internal Oversight Services
OLA	Office of Legal Affairs
UNCC	United Nations Compensation Commission
UNCHS	United Nations Centre for Human Settlements
UNCTAD	United Nations Conference on Trade and Development
UNEP	United Nations Environment Programme
UNITAR	United Nations Institute for Training and Research
UNOG	United Nations Office at Geneva
UNOIP	United Nations Office of the Iraq Programme
UNON	United Nations Office at Nairobi
UNOV	United Nations Office at Vienna
UNSCOM	United Nations Special Commission

Table 1

Summary data (baseline) on contracts with consultants and individual contractors, 2001

	Number of persons	Percentage of total/subtotal	Number of contracts	Percentage of total/subtotal	Days worked	Fees (In thousands of United States dollars)
Contracts with consultants ***Subtotal***	**3 300**	**68.8%**	**4 204**	**58.9%**	**321 786**	**36 630**
of whom						
Women	886	26.8%	1 156	27.5%	86 246	8 329
Former staff						
Retirees	47	1.4%	62	1.5%		
Non-retired former staff age 60 or over	37	1.1%	49	1.2%		
Non-retired former staff under age 60	149	4.5%	216	5.1%		
Contracts with individual contractors ***Subtotal***	**1 497**	**31.2%**	**2 939**	**41.1%**	**181 305**	**10 326**
of whom						
Women	758	50.6%	1 502	51.1%	91 382	5 142
Former staff						
Retirees	22	1.5%	38	1.3%		
Non-retired former staff age 60 or over	27	1.8%	38	1.3%		
Non-retired former staff under age 60	82	5.5%	183	6.2%		
Consultants and individual contractors ***Total***	**4 797**	**100.0%**	**7 143**	**100.0%**	**503 091**	**46 956**
Level of education						
Doctorate or equivalent	1 399	29.2%				
Master's degree or equivalent	1 691	35.3%				
Bachelor's degree or equivalent	964	20.1%				
Less than Bachelor's degree	303	6.3%				
Not available	*440*	9.2%				
Evaluation of performance						
Excellent			2 743	38.4%		
Good			3 552	49.7%		
Adequate			148	2.1%		
Not adequate			6	0.1%		
Not available			*694*	9.7%		

Table 2
Consultants and individual contractors by nationality, 2001

	Consultants				Individual contractors				Total			
Country	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees
Albania	2	3	221.75	14.1	2	3	51	3.504	4	6	272.75	17.6
Algeria	9	10	711	120.89	7	14	310.5	30.824	16	24	1021.5	151.71
Antigua and Barbuda	2	2	484	44.4					2	2	484	44.4
Argentina	106	182	11421.8	983.59	167	390	29749.3	1119.6	273	572	41171	2103.2
Armenia	2	3	116.5	9	1	3	35	4.499	3	6	151.5	13.5
Australia	66	79	5608.25	670.31	15	32	1334.75	182.61	81	111	6943	852.93
Austria	29	32	3938.25	360.25	15	29	641	51.442	44	61	4579.25	411.7
Azerbaijan	5	8	615.5	67.22					5	8	615.5	67.22
Bangladesh	12	12	1306.5	165.04	2	3	160.5	13.031	14	15	1467	178.07
Barbados	4	5	667	62.77	1	1	61	11	5	6	728	73.77
Belarus	5	6	151	14.5	3	7	647	41.615	8	13	798	56.12
Belgium	22	27	2203	343.07	12	19	928.25	81.756	34	46	3131.25	424.83
Benin	4	6	386.5	24.6	3	3	25	4.277	7	9	411.5	28.88
Bhutan	4	4	392	2.5					4	4	392	2.5
Bolivia	17	22	1376.25	164.3	1	1	20	0.95	18	23	1396.25	165.25
Bosnia and Herzegovina	1	3	121	13.46	1	3	53	6.16	2	6	174	19.62
Botswana	3	3	24	1.5	1	1	30.25	2	4	4	54.25	3.5
Brazil	70	89	8169	592.96	24	26	3005.75	119.46	94	115	11174.8	712.42
Bulgaria	15	20	1691.5	155.44	2	6	43	5.886	17	26	1734.5	161.32
Burkina Faso	7	8	242.25	29.94	3	6	500.5	21.786	10	14	742.75	51.72
Burundi	4	7	397.75	46.25	5	7	257	19.391	9	14	654.75	65.64
Cambodia	4	4	305	4.5					4	4	305	4.5
Cameroon	28	39	2189.5	335.61	6	17	329.75	23.396	34	56	2519.25	359.01
Canada	116	139	10710	1762.8	31	56	3536.75	338.83	147	195	14246.8	2101.6
Central African Republic	2	2	74	42.75					2	2	74	42.75
Chad	4	4	184.25	44	1	1	19	3.857	5	5	203.25	47.86
Chile	143	212	13573.8	1155.3	160	400	23501.5	702.33	303	612	37075.3	1857.7
China	40	45	4348.75	617.78	28	53	3484.75	295.97	68	98	7833.5	913.75
Colombia	43	59	4028.5	405.67	14	18	1235.25	116.05	57	77	5263.75	521.72
Congo	3	4	156.25	26.66	1	3	13	4.582	4	7	169.25	31.24

	Consultants				Individual contractors				Total			
Country	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees
Congo (Democratic Republic of)	4	4	149.75	44	2	3	213.75	2.105	6	7	363.5	46.1
Costa Rica	17	22	2031.75	100.3	1	1	7	0.95	18	23	2038.75	101.25
Côte d'Ivoire	6	7	289.25	52.79	1	3	363	22.81	7	10	652.25	75.6
Croatia	3	4	121.25	18.12	2	7	313	29.669	5	11	434.25	47.79
Cuba	2	2	107.75	14	1	1	60.5	10	3	3	168.25	24
Cyprus	2	2	544.5	109.79	1	2	363	22.002	3	4	907.5	131.79
Czech Republic	2	2	151.25	8	1	1	60.5	4.074	3	3	211.75	12.07
Democratic People's Republic of Korea	2	2	30	5					2	2	30	5
Denmark	25	29	3970	443.2	3	9	219	21.495	28	38	4189	464.7
Djibouti	1	1	90.75	18	1	3	258.5	18.69	2	4	349.25	36.69
Dominican Republic	4	5	533	18	1	1	30	2.958	5	6	563	20.96
Ecuador	14	15	2244.25	88.55	7	12	1082.75	50.56	21	27	3327	139.11
Egypt	48	50	2871	382.83	34	65	2311.25	259.07	82	115	5182.25	641.9
El Salvador	9	10	1282.25	129.46	2	2	219	7.63	11	12	1501.25	137.09
Eritrea	1	1	60.5	24					1	1	60.5	24
Estonia	5	5	571	14.4					5	5	571	14.4
Ethiopia	101	213	16362.5	774.34	172	373	31179.5	659.43	273	586	47542	1433.8
Fiji	14	14	2652	29.32					14	14	2652	29.32
Finland	32	37	5696.25	798.9	1	1	121	16.756	33	38	5817.25	815.66
France	147	202	12952.3	2095.7	90	195	12781.8	1039	237	397	25734	3134.7
Gabon	2	2	121	6.5					2	2	121	6.5
Gambia	7	7	647	108.4	2	6	104.75	18.025	9	13	751.75	126.43
Georgia	1	1	30.25	1.5					1	1	30.25	1.5
Germany	89	109	9505.5	1332.8	13	18	1387.5	69.184	102	127	10893	1402
Ghana	19	26	1829.75	280.13	4	6	371	30.831	23	32	2200.75	310.96
Greece	8	11	1365	117.8	1	2	2	0.705	9	13	1367	118.51
Guatemala	7	7	1178.75	34.43	2	2	160.75	29.561	9	9	1339.5	63.99
Guinea	6	6	489	30.5	2	4	161.25	5.986	8	10	650.25	36.49
Guinea-Bissau	1	2	105	18					1	2	105	18
Guyana	4	4	695.75	101.45	3	5	484	92.873	7	9	1179.75	194.32
Haiti	3	4	628.5	14.55	1	1	181.5	4.55	4	5	810	19.1
Honduras				0	1	3	4	1.266	1	3	4	1.27
Hungary	7	7	247.25	21.64	1	3	11	1.314	8	10	258.25	22.95
Iceland	4	4	1110	3					4	4	1110	3

	Consultants				Individual contractors				Total			
Country	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees
India	88	100	7539.75	1054.5	8	11	834.75	69.986	96	111	8374.5	1124.4
Indonesia	15	17	1065.5	113.34					15	17	1065.5	113.34
Iran (Islamic Republic of)	5	5	298	58.5					5	5	298	58.5
Iraq	4	4	181.5	16.5	1	3	79.5	11.517	5	7	261	28.02
Ireland	16	23	1626.75	468.9	6	10	714.5	35.994	22	33	2341.25	504.9
Israel	6	7	669.25	58.11	2	2	484	49.44	8	9	1153.25	107.55
Italy	61	82	5921.25	979.19	9	12	911	74.827	70	94	6832.25	1054
Jamaica	8	9	645.5	35.55	1	1	90.75	1.723	9	10	736.25	37.27
Japan	15	16	1196.5	187.01	3	3	298	21	18	19	1494.5	208.01
Jordan	21	22	1189	111.96	6	12	795.75	71.37	27	34	1984.75	183.33
Kazakhstan	6	7	595.25	14.11	1	3	363	19.2	7	10	958.25	33.31
Kenya	73	90	4667.75	602.73	48	68	4580.25	293.5	121	158	9248	896.23
Kyrgyzstan	8	10	305.25	13.53					8	10	305.25	13.53
Lao (People's Democratic Republic of)	4	4	223.5	6.1					4	4	223.5	6.1
Lebanon	46	55	3391.75	330.87	65	143	5249.25	312.72	111	198	8641	643.59
Liberia	10	14	835	148.53	1	9	21	7.402	11	23	856	155.93
Libyan Arab Jamahiriya	1	1	30.25	0.9					1	1	30.25	0.9
Madagascar				0	3	6	877.25	17.543	3	6	877.25	17.54
Malawi	8	11	591.5	34.28					8	11	591.5	34.28
Malaysia	20	24	1857.75	314.89					20	24	1857.75	314.89
Mali	10	15	849.25	96.68	3	6	226.5	15.5	13	21	1075.75	112.18
Malta	1	1	5	2					1	1	5	2
Mauritania	7	7	297.75	42.79	2	2	121	4.94	9	9	418.75	47.73
Mauritius	5	8	477.25	96.67	1	3	179.5	15.103	6	11	656.75	111.77
Mexico	29	35	2593	359	4	6	408.25	37.475	33	41	3001.25	396.47
Mongolia	5	5	405	18.62	2	2	24	1.05	7	7	429	19.67
Morocco	16	17	575.5	106.64	6	9	1033.75	45.446	22	26	1609.25	152.08
Mozambique	6	7	562.5	22.32	1	1	7	1.55	7	8	569.5	23.88
Myanmar	1	1	90.75	0.5	1	3	151.25	8	2	4	242	8.5
Namibia	2	2	188.5	3.7					2	2	188.5	3.7
Nepal	11	15	862.25	61.83					11	15	862.25	61.83
Netherlands	60	70	4843.5	810.95	2	2	37	7	62	72	4880.5	817.95

	Consultants				Individual contractors				Total			
Country	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees
New Zealand	30	42	3020.75	449.46	2	2	54	3.281	32	44	3074.75	452.74
Nicaragua	5	5	766	13.55					5	5	766	13.55
Niger	2	2	35.25	6					2	2	35.25	6
Nigeria	34	42	2939.75	429.57	4	14	837	12.817	38	56	3776.75	442.39
Norway	24	27	3629.5	214.76	2	4	124	55.322	26	31	3753.5	270.09
Oman	4	4	907.5	44.5	2	2	90	4.16	6	6	997.5	48.66
Pakistan	1	1	90.75	3					1	1	90.75	3
(Palestinian)	9	9	451.5	34.2	1	2	90.75	10	10	11	542.25	44.2
Panama	3	3	62.25	13.25					3	3	62.25	13.25
Papua New Guinea	5	6	911	6.8					5	6	911	6.8
Paraguay	5	7	1421.75	23.5	1	2	81.5	9.353	6	9	1503.25	32.86
Peru	32	41	3697.75	308.8	9	11	623.75	47.224	41	52	4321.5	356.03
Philippines	44	58	4087	489.04	6	8	908.25	54.866	50	66	4995.25	543.9
Poland	17	18	893.5	116.59	1	3	54	5.638	18	21	947.5	122.23
Portugal	2	3	248	10.1					2	3	248	10.1
Republic of Korea	15	16	932	91.06	3	7	526	40.69	18	23	1458	131.75
Republic of Moldova	1	1	56	3					1	1	56	3
Republic of Yemen	3	3	272.25	5.5	1	3	363	21.466	4	6	635.25	26.97
Romania	11	16	1294.25	119.79					11	16	1294.25	119.79
Russian Federation	47	63	4451.5	702.27	25	44	2874.75	201.34	72	107	7326.25	903.61
Rwanda	4	6	557	37.79	4	9	461.25	9.959	8	15	1018.25	47.75
Saint Lucia	3	3	90.75	19.45	1	1	121	5	4	4	211.75	24.45
Samoa	10	10	880.5	14.25					10	10	880.5	14.25
Saudi Arabia				0	1	2	151.25	6.121	1	2	151.25	6.12
Senegal	27	31	1865.5	331.4	6	6	223.75	27.039	33	37	2089.25	358.44
Seychelles				0	3	3	363	6.9	3	3	363	6.9
Sierra Leone	13	14	1018	146.17	1	1	21	0.975	14	15	1039	147.14
Singapore	15	17	2604.75	248.04					15	17	2604.75	248.04
Slovakia	2	6	514.25	45.2	1	3	48	5.494	3	9	562.25	50.69
Slovenia	1	1	77	25.68					1	1	77	25.68
Solomon Islands	3	3	1089	0					3	3	1089	0
Somalia	1	1	28	5	1	1	121	0.4	2	2	149	5.4
South Africa	32	33	2101	248.96	3	3	73.5	6.5	35	36	2174.5	255.46
Spain	19	24	2050.5	185.65	29	57	4103	323.68	48	81	6153.5	509.32
Sri Lanka	13	13	876.5	76.69	1	1	60.5	0.689	14	14	937	77.38

Country	Consultants				Individual contractors				Total			
	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees
Saint Vincent and the Grenadines	2	2	433	10.71					2	2	433	10.71
Sudan	6	6	277.5	49.6	4	5	226	13.289	10	11	503.5	62.89
Suriname	1	1	181.5	4.55	1	1	181.5	4.55	2	2	363	9.1
Swaziland	3	4	813.5	8.69					3	4	813.5	8.69
Sweden	43	48	5961.5	533.48	6	8	761.25	45.792	49	56	6722.75	579.27
Switzerland	65	74	7347.25	1024.2	31	56	2322.5	198	96	130	9669.75	1222.2
Syrian Arab Republic	7	7	609.75	40.58	7	16	716.5	83.073	14	23	1326.25	123.65
Tajikistan	4	5	465.5	10.5					4	5	465.5	10.5
Tanzania (United Republic of)	13	15	1117.75	39.38	4	5	448.5	8.47	17	20	1566.25	47.85
The former Yugoslav Republic of Macedonia	1	2	181.5	48	2	2	23	3.371	3	4	204.5	51.37
Thailand	32	41	2182.75	229.14	21	31	2090.75	84.34	53	72	4273.5	313.48
Togo	8	11	393.25	114.66	3	3	122	4.902	11	14	515.25	119.56
Tonga	4	4	849	37.89					4	4	849	37.89
Trinidad and Tobago	4	8	340.25	84.44					4	8	340.25	84.44
Tunisia	16	16	592	79.13	6	15	304	44.286	22	31	896	123.41
Turkey	5	7	342.75	66.1					5	7	342.75	66.1
Turkmenistan	2	2	51.25	2.7					2	2	51.25	2.7
Uganda	17	20	1433.25	114.49	1	1	5	0.68	18	21	1438.25	115.17
Ukraine	7	12	508.25	79.15	4	8	623	49.26	11	20	1131.25	128.41
United Arab Emirates	2	2	184	6					2	2	184	6
United Kingdom	223	272	21696.5	2601.1	69	135	5676.63	451.85	292	407	27373.1	3053
United States of America	354	438	29159.3	4414.6	172	270	13118.5	1550.1	526	708	42277.8	5964.6
Uruguay	17	27	1573.25	120.68	12	23	1103.75	98.714	29	50	2677	219.39
Uzbekistan	8	8	521.5	15.2	1	1	35	1	9	9	556.5	16.2
Vanuatu	2	3	747	2.1					2	3	747	2.1
Venezuela	17	23	2754.75	195.5	2	2	121	11.7	19	25	2875.75	207.2
Viet Nam	7	7	423.75	10					7	7	423.75	10
Yugoslavia	6	8	798.25	155.58	2	3	76.5	15.98	8	11	874.75	171.56
Zambia	15	17	1379.75	119.41	1	2	189	3.125	16	19	1568.75	122.54

	Consultants				Individual contractors				Total			
Country	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees	Number of persons	Number of contracts	Total days worked	Total fees
Zimbabwe	9	11	622.75	77.48	1	1	5	1.15	10	12	627.75	78.63
Unknown	26	34	2865.5	176.65	7	14	871.5	46.93	33	48	3737	223.58
Grand total*	3300	4204	321789	36632	1497	2939	181306	10328	4797	7143	503095	46960

** The following 30 countries have provided neither consultants nor individual contractors during 2001: Afghanistan, Andorra, Angola, Bahamas, Bahrain, Belize, Brunei Darussalam, Cape Verde, Comoros, Dominica, Equatorial Guinea, Grenada, Kiribati, Kuwait, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Maldives, Marshall Islands, Micronesia, Monaco, Nauru, Palau, Qatar, Saint Kitts and Nevis, San Marino, Sao Tome and Principe and Tuvalu.*

Table 3
Purpose of engagement of consultants and individual contractors, 2001

	Consultants		Individual contractors		Total	
Purpose of engagement	Number of contracts	Percentage of contracts	Number of contracts	Percentage of contracts	Number of contracts	Percentage of contracts
Programme planning	51	0.71	9	0.13	60	0.84
Programme implementation	536	7.50	119	1.67	655	9.17
Programme evaluation	75	1.05	8	0.11	83	1.16
Preparation of meetings	87	1.22	226	3.16	313	4.38
Drafting of manuscripts	230	3.22	188	2.63	418	5.85
Lectures/training courses	284	3.98	36	0.50	320	4.48
Special analytical studies	358	5.01	14	0.20	372	5.21
Advisory services	1069	14.97	65	0.91	1134	15.88
Administrative services	1443	20.20	2018	28.25	3461	48.45
Building services	23	0.32	16	0.22	39	0.55
Various other purposes	48	0.67	240	3.36	288	4.03
Total contracts	4204	58.85	2939	41.15	7143	100

Table 4

Engagement of consultants and individual contractors by the Common Classification of Occupational Groups job family, 2001

	Consultants		Individual contractors		Total	
Occupational group	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)
Professional, managerial and technical work	14	0.33	7	0.24	21	0.29
Administrative specialists	5	0.12	3	0.10	8	0.11
Financial management specialists	12	0.29	1	0.03	13	0.18
Accountants — general	2	0.05	3	0.10	5	0.07
Budget management specialists	2	0.05		0.00	2	0.03
Cost accountants		0.00	1	0.03	1	0.01
Financial analysts	7	0.17	1	0.03	8	0.11
Treasurers	1	0.02		0.00	1	0.01
Management and programme analysts	57	1.36	12	0.41	69	0.97
Management and organizational analysts	10	0.24	1	0.03	11	0.15
Methods and procedures specialists	8	0.19	2	0.07	10	0.14
Programme analysts	10	0.24	8	0.27	18	0.25
Building services administrators		0.00	1	0.03	1	0.01
Security and safety administrators	1	0.02	5	0.17	6	0.08
Meetings services administrators	9	0.21	7	0.24	16	0.22
Computer information systems specialists	46	1.09	42	1.43	88	1.23
Management information systems specialists	21	0.50	10	0.34	31	0.43
Systems development specialists	28	0.67	24	0.82	52	0.73
Office automation specialists	1	0.02		0.00	1	0.01
Database administration specialists	13	0.31	15	0.51	28	0.39
Computer communications and network specialists	33	0.78	22	0.75	55	0.77
Computer system programming and performance specialists	3	0.07	8	0.27	11	0.15
Computer centre production specialists		0.00	1	0.03	1	0.01
Personnel management specialists	12	0.29	2	0.07	14	0.20
Benefits specialists	1	0.02		0.00	1	0.01
Human resources planning specialists	7	0.17	1	0.03	8	0.11
Job classification specialists	7	0.17		0.00	7	0.10
Recruitment specialists	2	0.05		0.00	2	0.03
Salary administration specialists	2	0.05		0.00	2	0.03
Training specialists	45	1.07	12	0.41	57	0.80
Printing services specialists	2	0.05	6	0.20	8	0.11
Public information specialists	26	0.62	12	0.41	38	0.53
Press officers	2	0.05	3	0.10	5	0.07
Printed media specialists	2	0.05		0.00	2	0.03
Radio media specialists	2	0.05		0.00	2	0.03

Occupational group	Consultants		Individual contractors		Total	
	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)
Visual media specialists	4	0.10	3	0.10	7	0.10
Purchasing and contracting specialists	1	0.02		0.00	1	0.01
Procurement specialists	3	0.07	4	0.14	7	0.10
Contract administrators	1	0.02		0.00	1	0.01
Inventory and warehouse management specialists	1	0.02	2	0.07	3	0.04
Relations and liaison specialists	5	0.12	1	0.03	6	0.08
Technical cooperation administrators	3	0.07		0.00	3	0.04
Administrative officers	35	0.83	5	0.17	40	0.56
Auditors	1	0.02		0.00	1	0.01
Records and documents administrators		0.00	1	0.03	1	0.01
Architects, engineers	2	0.05		0.00	2	0.03
Agricultural engineers	1	0.02	1	0.03	2	0.03
Architects and community planners	3	0.07	5	0.17	8	0.11
Community planners	2	0.05	2	0.07	4	0.06
Chemical engineers	2	0.05		0.00	2	0.03
Civil engineers	1	0.02		0.00	1	0.01
Transportation engineers	2	0.05	2	0.07	4	0.06
Land and water development engineers	10	0.24	2	0.07	12	0.17
Electrical and electronics engineers	3	0.07	1	0.03	4	0.06
Telecommunications engineers	1	0.02	1	0.03	2	0.03
Industrial engineers	3	0.07		0.00	3	0.04
Marine engineers	2	0.05		0.00	2	0.03
Plant engineers	1	0.02		0.00	1	0.01
Power-plant engineers	3	0.07		0.00	3	0.04
Mining and petroleum engineers	3	0.07		0.00	3	0.04
Nuclear engineers	1	0.02		0.00	1	0.01
Surveyors	45	1.07	168	5.72	213	2.98
Archivists, curators, information specialists and librarians	2	0.05	2	0.07	4	0.06
Library and information specialists	4	0.10		0.00	4	0.06
Collection development specialists	3	0.07		0.00	3	0.04
Cataloguing, indexing and abstracting specialists	4	0.10	1	0.03	5	0.07
Reference and information dissemination specialists	4	0.10	4	0.14	8	0.11
Industrial property information specialists		0.00	1	0.03	1	0.01
Artists		0.00	1	0.03	1	0.01
Creative artists	5	0.12	2	0.07	7	0.10
Economists	235	5.59	35	1.19	270	3.78
Transport economists	39	0.93	3	0.10	42	0.59
Air transport economists	1	0.02		0.00	1	0.01
Agricultural economists	31	0.74	3	0.10	34	0.48
Development economists	164	3.90	21	0.71	185	2.59

Occupational group	Consultants		Individual contractors		Total	
	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)
Econometricians	4	0.10		0.00	4	0.06
General economists	17	0.40	2	0.07	19	0.27
Financial economists	37	0.88	2	0.07	39	0.55
Industrial economists	37	0.88	3	0.10	40	0.56
International trade economists	281	6.68	98	3.33	379	5.31
Labour economists		0.00	1	0.03	1	0.01
Price economists	1	0.02	1	0.03	2	0.03
Tax economists	9	0.21		0.00	9	0.13
Energy economists	69	1.64	5	0.17	74	1.04
Health economists	2	0.05		0.00	2	0.03
Mineral resource economists	4	0.10		0.00	4	0.06
Forest economists	2	0.05		0.00	2	0.03
Natural resources economists	24	0.57	1	0.03	25	0.35
Telecommunications economists	4	0.10		0.00	4	0.06
Education specialists	20	0.48	4	0.14	24	0.34
Adult education specialists	1	0.02	1	0.03	2	0.03
Audio-visual specialists	2	0.05		0.00	2	0.03
Teachers	132	3.14	195	6.63	327	4.58
University and higher education specialists	5	0.12	6	0.20	11	0.15
Vocational training specialists	1	0.02		0.00	1	0.01
Development training specialists	75	1.78	32	1.09	107	1.50
Health education specialists	1	0.02	1	0.03	2	0.03
Jurists	6	0.14	6	0.20	12	0.17
General legal advisers	10	0.24	3	0.10	13	0.18
International law specialists	97	2.31	25	0.85	122	1.71
National law specialists	9	0.21	1	0.03	10	0.14
Forensic medicine law specialists	4	0.10		0.00	4	0.06
Agricultural scientists	11	0.26		0.00	11	0.15
Agronomists	2	0.05		0.00	2	0.03
Fish-farming and aquaculture specialists		0.00	1	0.03	1	0.01
Biological scientists	6	0.14		0.00	6	0.08
Biologists	1	0.02		0.00	1	0.01
Pharmacologists	1	0.02		0.00	1	0.01
Plant pathologists	1	0.02		0.00	1	0.01
Psychologists		0.00	2	0.07	2	0.03
Examinations specialists		0.00	1	0.03	1	0.01
Foresters	1	0.02		0.00	1	0.01
Forest protection specialists	2	0.05		0.00	2	0.03
Dental, nutrition, medical, nursing and veterinary specialists	5	0.12		0.00	5	0.07
Dentists	9	0.21		0.00	9	0.13
Medical specialists	58	1.38	4	0.14	62	0.87
Epidemiologists	12	0.29		0.00	12	0.17

Occupational group	Consultants		Individual contractors		Total	
	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)
General practitioners	37	0.88	12	0.41	49	0.69
Neurologists	4	0.10		0.00	4	0.06
Opthalmologists	6	0.14		0.00	6	0.08
Mental health specialists	3	0.07		0.00	3	0.04
Public health specialists	5	0.12	7	0.24	12	0.17
Radiologists	7	0.17		0.00	7	0.10
Nursing specialists		0.00	18	0.61	18	0.25
Public health nurses		0.00	1	0.03	1	0.01
Opticians and optometrists		0.00	1	0.03	1	0.01
Pharmacists	6	0.14	7	0.24	13	0.18
Health laboratory specialists	1	0.02	11	0.37	12	0.17
Physical scientists	4	0.10	2	0.07	6	0.08
Environmental chemists	2	0.05		0.00	2	0.03
Geographers	3	0.07	2	0.07	5	0.07
Cartographers	14	0.33	2	0.07	16	0.22
Geologists, geophysicists, hydrologists and hydrogeologists	4	0.10	2	0.07	6	0.08
Geologists	1	0.02		0.00	1	0.01
Hydrologists	2	0.05		0.00	2	0.03
Hydrogeologists	18	0.43	1	0.03	19	0.27
Meteorologists	1	0.02		0.00	1	0.01
Physicists	2	0.05		0.00	2	0.03
Social scientists	75	1.78	4	0.14	79	1.11
Anthropologists	10	0.24	3	0.10	13	0.18
Human settlements specialists	31	0.74	4	0.14	35	0.49
Historians	2	0.05		0.00	2	0.03
Political scientists	89	2.12	21	0.71	110	1.54
Political scientists — applications	6	0.14		0.00	6	0.08
Social welfare specialists	65	1.55	8	0.27	73	1.02
Sociologists	86	2.05	27	0.92	113	1.58
Demographers	67	1.59	8	0.27	75	1.05
Public administration specialists	171	4.07	22	0.75	193	2.70
Public health administration specialists	2	0.05		0.00	2	0.03
Social security specialists	1	0.02		0.00	1	0.01
Management development specialists	4	0.10	1	0.03	5	0.07
Small enterprise development specialists	2	0.05		0.00	2	0.03
Entrepreneurship development specialists	10	0.24		0.00	10	0.14
Statisticians and mathematicians	12	0.29	4	0.14	16	0.22
Statisticians	40	0.95	5	0.17	45	0.63
Statisticians — theoretical statistics	2	0.05		0.00	2	0.03
Statisticians — applied statistics	3	0.07	8	0.27	11	0.15
Evaluation methodology analysts	21	0.50		0.00	21	0.29
Transportation specialists	6	0.14		0.00	6	0.08

Occupational group	Consultants		Individual contractors		Total	
	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)
Maritime transportation specialists	3	0.07		0.00	3	0.04
Writers, translators, interpreters	1	0.02	10	0.34	11	0.15
Authors and critics	1	0.02		0.00	1	0.01
Editors	28	0.67	77	2.62	105	1.47
Interpreters	71	1.69	87	2.96	158	2.21
Precis-writers	9	0.21	3	0.10	12	0.17
Terminologists	1	0.02	10	0.34	11	0.15
Translators and revisers	108	2.57	256	8.71	364	5.10
Writers	15	0.36	34	1.16	49	0.69
Professional, managerial & technical specialists for which no job family exists	12	0.29	18	0.61	30	0.42
Environmental specialists	57	1.36	20	0.68	77	1.08
Environmental scientists	111	2.64	47	1.60	158	2.21
Environmental scientists — land	23	0.55	5	0.17	28	0.39
Environmental scientists — marine	1	0.02		0.00	1	0.01
Relief specialists	55	1.31	2	0.07	57	0.80
Emergency relief specialists	56	1.33	43	1.46	99	1.39
Electronic communications specialists	2	0.05		0.00	2	0.03
Subtotal, Professional work	3366	80.07	1669	56.79	5035	70.49
Support work related to professional, managerial and technical occupations	36	0.86	213	7.25	249	3.49
Administration related	26	0.62	22	0.75	48	0.67
Financial management related	1	0.02	9	0.31	10	0.14
Accounting	1	0.02		0.00	1	0.01
Management and programme analysis related	12	0.29		0.00	12	0.17
Building services related	1	0.02	2	0.07	3	0.04
Meetings services related	9	0.21	15	0.51	24	0.34
Computer information systems related	29	0.69	29	0.99	58	0.81
Software user support		0.00	19	0.65	19	0.27
Application user support	1	0.02	25	0.85	26	0.36
Programming assistance	1	0.02	3	0.10	4	0.06
Computer operations	11	0.26	14	0.48	25	0.35
Data entry operations	6	0.14	35	1.19	41	0.57
Personnel management related		0.00	3	0.10	3	0.04
Personnel entitlements administration		0.00	1	0.03	1	0.01
Salary administration		0.00	1	0.03	1	0.01
Training	11	0.26	7	0.24	18	0.25
Printing services related	2	0.05	1	0.03	3	0.04
Public information related	22	0.52	134	4.56	156	2.18
Sightseeing		0.00	50	1.70	50	0.70
Reception service		0.00	1	0.03	1	0.01
Purchasing and contracting related	1	0.02	1	0.03	2	0.03
Inventory and supply		0.00	1	0.03	1	0.01

Occupational group	Consultants		Individual contractors		Total	
	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)
Protocol support	1	0.02	1	0.03	2	0.03
Relations and liaison support	1	0.02		0.00	1	0.01
Technical cooperation related	1	0.02		0.00	1	0.01
General administration related	7	0.17	15	0.51	22	0.31
Secretarial support	24	0.57	85	2.89	109	1.53
Typing	22	0.52	25	0.85	47	0.66
Text processing	1	0.02	6	0.20	7	0.10
Records and documents administration related		0.00	4	0.14	4	0.06
Health records		0.00	1	0.03	1	0.01
Filing		0.00	1	0.03	1	0.01
Messenger service	7	0.17	19	0.65	26	0.36
Agricultural engineering related	2	0.05	3	0.10	5	0.07
Electrical and electronics engineering related	1	0.02		0.00	1	0.01
Telecommunications engineering related	1	0.02	2	0.07	3	0.04
Industrial engineering related		0.00	1	0.03	1	0.01
Marine engineering related	2	0.05		0.00	2	0.03
Mechanical engineering related	1	0.02		0.00	1	0.01
Library and information related		0.00	3	0.10	3	0.04
Information network related	3	0.07	2	0.07	5	0.07
Creative arts related	1	0.02	1	0.03	2	0.03
Motion picture or television camera operations	8	0.19	7	0.24	15	0.21
Photography		0.00	14	0.48	14	0.20
Photographic processing		0.00	4	0.14	4	0.06
Economics related	127	3.02	24	0.82	151	2.11
Development training support	3	0.07		0.00	3	0.04
Fellowships administration	2	0.05		0.00	2	0.03
Law related	2	0.05	3	0.10	5	0.07
International law related	11	0.26		0.00	11	0.15
Medicine related	4	0.10		0.00	4	0.06
Medical X-ray operations		0.00	1	0.03	1	0.01
Clinical nursing	1	0.02	42	1.43	43	0.60
Laboratory operations		0.00	1	0.03	1	0.01
Social sciences related	3	0.07	6	0.20	9	0.13
Statistics and mathematics related	5	0.12	6	0.20	11	0.15
Statistics related	11	0.26	2	0.07	13	0.18
Transportation related	1	0.02		0.00	1	0.01
Traffic and travel related	1	0.02		0.00	1	0.01
Travel and visa support		0.00	1	0.03	1	0.01
Writing, translation and interpretation related	2	0.05	17	0.58	19	0.27
Editing-related	3	0.07	19	0.65	22	0.31

Occupational group	Consultants		Individual contractors		Total	
	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)
Proof-reading	2	0.05	8	0.27	10	0.14
Language reference related		0.00	9	0.31	9	0.13
Support work for which no job family exists		0.00	9	0.31	9	0.13
Publications/publishing related	10	0.24	9	0.31	19	0.27
Environmental science related	17	0.40	4	0.14	21	0.29
Electronic communications related	1	0.02	1	0.03	2	0.03
Telephone service	2	0.05	12	0.41	14	0.20
Subtotal, Support work	461	10.97	954	32.46	1415	19.81
Production, service and transport work	0	0.00	0	0.00	0	0.00
Structural and physical plant construction and maintenance		0.00	1	0.03	1	0.01
Structural work		0.00	2	0.07	2	0.03
Sheet metal work		0.00	2	0.07	2	0.03
Wood work		0.00	2	0.07	2	0.03
Electrical work		0.00	5	0.17	5	0.07
Computer equipment installation		0.00	6	0.20	6	0.08
Transport	1	0.02		0.00	1	0.01
Auto and light vehicle driving	3	0.07	7	0.24	10	0.14
Painting and wood finishing		0.00	10	0.34	10	0.14
General building maintenance	1	0.02	11	0.37	12	0.17
Gardening		0.00	10	0.34	10	0.14
Cleaning		0.00	50	1.70	50	0.70
Elevator maintenance and repair	1	0.02	4	0.14	5	0.07
Storing and warehousing		0.00	3	0.10	3	0.04
Receiving and storage	1	0.02	1	0.03	2	0.03
Warehouse equipment operations		0.00	1	0.03	1	0.01
Printing	2	0.05		0.00	2	0.03
Printing press operations	2	0.05	4	0.14	6	0.08
Platemaking		0.00	3	0.10	3	0.04
Layout	2	0.05	33	1.12	35	0.49
Copy equipment operations		0.00	24	0.82	24	0.34
Assembly and binding		0.00	9	0.31	9	0.13
Security and safety operations	3	0.07	21	0.71	24	0.34
Subtotal, Service work	16	0.38	209	7.11	225	3.15
Not available/Not relevant	*361*	*8.59*	*107*	*3.64*	*468*	*6.55*
Grand total	4204	100.00	2939	100.00	7143	100.00

Definitions

Professional, managerial and technical work: This group includes occupations concerned with the theoretical or practical aspects of such fields of human endeavour as art, science, engineering, education, medicine, law, business and economics and administrative, managerial and technical work. Most of these are occupations that require substantial academic preparation, usually at the university level.

Support work related to professional, managerial and technical occupations: This group includes occupations concerned with recording, compiling, reviewing and processing data; classifying, filing, retrieving and updating publications, correspondence and other reference materials; providing information; transmitting mail and messages; coordinating meetings and inspections; and carrying out other duties in accordance with established practices and procedures in support of occupations responsible for the management, creation, analysis and presentation of plans and programmes. The occupations included in the support group may also involve the performance of technical work in a specific subject area where practical application rather than theoretical knowledge is required.

Production, service and transport work: This group includes occupations concerned with operating equipment; providing transport services; providing protection against crime, fire and accidents; providing food services; storing, distributing and accounting for materials; fabricating, erecting, installing, paving, painting, repairing and similarly working on structures or structural parts; and using manufactured components and assemblies to produce products. Many of these occupations require the application of the knowledge and physical skills of a craft or trade.

Table 5
Duration of contracts for consultants and individual contractors, 2001

	Consultants		Individual contractors		Total	
Months	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)
Under 1 month	1233	29.3	1050	35.7	2283	32.0
1 to 3 months	1457	34.7	945	32.2	2402	33.6
3 to 6 months	917	21.8	789	26.8	1706	23.9
6 to 12 months	553	13.2	150	5.1	703	9.8
12 to 24 months	42	1.0	5	0.1	47	1.1
Over 24 months	1	0.0		0.0	1	0.0
Total number of contracts	4204	100.0	2939	100.0	7143	100.0

Table 6
Time actually worked for consultants and individual contractors, 2001

	Consultants		Individual contractors		Total	
Months	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)	Number of contracts	Share of contracts (percentage)
Under 1 month	1878	44.7	1349	45.9	3227	45.2
1 to 3 months	920	21.9	527	17.9	1447	20.3
3 to 6 months	853	20.3	884	30.1	1737	24.3
6 to 12 months	549	13.1	176	6.0	725	10.1
12 to 24 months	4	0.1	1	0.1	5	0.2
Over 24 months		0.0	2	0.1	2	0.0
Total number of contracts	4204	100.0	2939	100.0	7143	100.0

Table 7

Consultants and individual contractors, by department, gender, level of education, duration of contract and evaluation of performance, 2000

	Consultants		Individual contractors		Total		Duration	Educational level					Evaluation				
Department or office	Number of persons	Percentage of females	Number of persons	Percentage of females	Number of persons	Percentage of females	Days	PHD	MA	BA	Other	n/a	Excellent	Good	Accep-table	Unsatis-factory	n/a
DDA	9	26.7	6	13.3	15	40	925	2	1	3	2		12	2			1
DESA	565	29.1	9	1	574	30.1	28 603	155	140	61	3		244	279	33		20
DGAACS	1	5.6	17	27.8	18	33.4	3 391		4	4			2	9			14
DM	6	27.4	26	114.1	32	141.5	1 167	2	3	9	13		4	18	8		2
DM/OCSS	21	2.3	22	2.3	43	4.6	2 794		5	2	1		21	10	1	1	10
DM/OHRM	53	18.9	74	43.3	127	62.2	15 337	6	14	1	1	1	20	107	1		
DM/OPPBA	3	25	1	25	4	50	456		1				2	1			1
DPA	83	23.8	1	1.2	84	25	7 310	5	14				7	48			30
DPI	16	3	215	53.2	231	56.2	13 777	6	111	84	8		121	86	3		21
DPKO	32	22.2	4	2.8	36	25	2 653	5	10	4			12	22			2
ECA	429	14.4	438	20.1	867	34.5	70 099	71	162	59	16	29	154	661	4		69
ECE	121	32.8	4	2.4	125	35.2	7 305	51	54	7	4		53	70			2
ECLAC	618	12.5	906	29.6	1 524	42.1	99 763	104	254	431	142	40	756	680	8	1	179
ESCAP	343	18.7	84	7	427	25.7	22 527	131	108	73	48		218	188	10	2	9
ESCWA	135	9	187	35.4	322	44.4	15 379	98	73	90	60		84	197	37		4
ICSC							332	3	5	1			3	5			2
INTERORG							153	2	1		1		3				2
OCHA	243	23.5	8	2.4	251	25.9	60 473	13	94	65	34		10	173	1		68
ODCCP							658	4	5	3			4	3	1		4
OHCHR	134	27.7	39	14.5	173	42.2	6 467	39	66	41	17		60	71	6	1	35
OIOS							366		2	3			4	8			1
OLA	22	25.9	5	11.1	27	37	1 780	10	6	7			15	8			4
OSG	14	36.8	5	5.3	19	42.1	2 142	3		3							19
OSRSGCAC	10	6.3	6	12.5	16	18.8	971	2	3	4			9	5	1		1
UNCC							17 195	5	16	5	13		77	5			5
UNCHS	82	28.2	21	12.6	103	40.8	6 274	8	21	13	3		52	50			1
UNCTAD	505	16.5	106	10	611	26.5	35 888	129	261	156	47		255	325	21		10
UNEP	236	19	75	11.9	311	30.9	18 437	71	112	34	7		132	63	4		13
UNFIP	4	50	2	33.3	6	83.3	610		1					3			3
UNITAR	127	32.8	10	6.6	137	39.4	3 228	44	46	12	16		74	50			24
UNMOVIC							1 147	1	2				5	4			
UNOG	139	12.6	265	35.1	404	47.7	30 750	91	57	66	35		116	239	8	1	40

	Consultants		Individual contractors		Total		Duration	Educational level					Evaluation				
Department or office	Number of persons	Percentage of females	Number of persons	Percentage of females	Number of persons	Percentage of females	Days	PHD	MA	BA	Other	n/a	Excellent	Good	Accep-table	Unsatis-factory	n/a
UNOIP							7 550	2	7	7	2			46			
UNON	10	0.3	316	46.9	326	47.2	12 843	8	26	37	8	5	192	101			27
UNOSC							194		5				5	1			1
UNOV	21	7.8	81	57.8	102	65.6	4 153	7	22	18	8		17	14	1		70
TOTAL	3 982	28.2%	2 933	51.2%	6 915	37.9%	503 091	1 078	1 712	1 303	489	75	2 743	3 552	148	6	694

Note 1: PHD = Doctorate or equiv.; MA = Master's degree or equiv.; BA = Bachelor's degree or equiv.; Other = Less than Bachelor's degree; N/A = Not Available.

Note 2: The totals for the person counts exceeds the baseline in table 1, since some persons have been engaged by several departments.

Table 8

Expenditure on consultants and individual contractors by source of funding, 2001

	Consultants			Individual contractors			Total		
Department or office	Assessed contributions ($000)	Extrabudgetary ($000)	Total ($000)	Assessed contributions ($000)	Extrabudgetary ($000)	Total ($000)	Assessed contributions ($000)	Extrabudgetary ($000)	Total ($000)
DDA	28	112	140	16	11	27	44	122	166
DESA	1 629	5 085	6 714	49	16	65	1 678	5 101	6 779
DGAACS	86	0	86	219	0	219	305	0	305
DM	1 170	87	1 256	503	204	707	1 672	291	1 963
DPA	1 734	213	1 947	0	42	42	1 734	255	1 989
DPI	92	74	165	878	378	1 255	969	451	1 420
DPKO	62	478	540	0	75	75	62	553	615
ECA	1 229	1 327	2 556	835	244	1 080	2 064	1 571	3 635
ECE	199	337	535	1	6	7	200	342	542
ECLAC	549	2 408	2 957	660	1 442	2101	1 208	3 850	5 058
ESCAP	453	1 083	1 536	91	134	225	544	1 217	1 761
ESCWA	324	67	390	480	103	582	803	169	972
ICSC	0	98	98	0	0	0	0	98	98
INTERORG	0	24	24	0	0	0	0	24	24
OCHA	30	1 104	1 134	7	53	60	37	1 157	1 194
ODCCP	76	23	99	0	0	0	76	23	99
OHCHR	155	586	741	155	92	247	310	678	988
OIOS	105	2	107	5	0	5	110	2	112
OLA	109	10	118	56	0	56	164	10	174
OSG	52	145	197	14	40	54	66	185	251
OSRSGCAC	0	136	136	0	23	23	0	159	159
UNCC	0	4 715	4 715	0	0	0	0	4 715	4 715
UNCHS	30	792	822	13	61	74	43	853	896
UNCTAD	392	3 354	3 746	35	525	560	427	3 879	4 306
UNEP	23	2 437	2 460	0	375	375	23	2 812	2 835
UNFIP	0	39	39	0	24	24	0	62	62
UNITAR	0	318	318	0	28	28	0	347	347
UNMOVIC	0	35	35	0	34	34	0	68	68
UNOG	297	386	684	883	415	1 298	1 180	801	1 981
UNOIP	0	1 967	1 967	0	30	30	0	1 997	1 997
UNON	0	122	122	80	804	884	80	927	1 007
UNOSC	0	61	61	0	0	0	0	61	61
UNOV	41	146	187	63	130	193	104	276	380
Grand total	8 865	27 771	36 632	5 043	5 289	10 330	13 903	33 056	46 959

Note 1: Fees only.

Note 2: Data on expenditures are derived from IMIS departments and offices at United Nations headquarters in New York, and from individual updates submitted by Offices away from Headquarters to the Paradox database of OHRM.

Table 9
Institutional contractors, 2001

Department or office	Number of contractors	Number of contracts	Duration (months)	Expenditure (Thousands of United States dollars)
ECA	13	15	35	551
ECE	36	37	132	3 024
ECLAC	44	40	387	840
ESCAP	17	20	43	218
ESCWA	16	19	78	141
ITFY	10	10	102	186
ICTR	25	27	192	1 141
New York/Headquarters	191	409	575	8 446
UNCHR	15	26	36	294
UNCHS	24	26	83	1 103
UNCTAD	84	125	N/A	1 224
UNEP	19	21	124	938
UNOG	32	39	145	786
UNON	31	34	312	6 602
UNOV	5	6	10	107
Total	**562**	**854**	**2 234**	**25 581**

Notes

1: Institutional or corporate contractors are institutions or corporations that provide goods or services to the United Nations on a direct contractual basis (ST/AI/327 of 23 January 1985).
2: New York/Headquarters includes all Departments and Offices in New York.
3: UNOG includes ECE.
4: UNOV includes ODCCP.

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Item 111 (b) of the provisional agenda*
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and cultural diversity

Report of the Secretary-General**

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 56/156 of 19 December 2001 entitled "Human rights and cultural diversity".

2. In paragraph 13 of the above-mentioned resolution, the General Assembly requested the Secretary-General, in the light of the resolution, to prepare a report on human rights and cultural diversity, taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, as well as the considerations in the resolution regarding the recognition and importance of cultural diversity among all peoples and nations in the world, and to submit it to the Assembly at its fifty-seventh session.

3. In accordance with paragraph 13 of General Assembly resolution 56/156, the Secretary-General in a note verbale dated 13 May 2002 invited Member States, relevant United Nations agencies and non-governmental organizations to transmit any information and comments relevant to the subject matter. As of 20 June 2002, replies had been received from the Governments of Argentina, Cuba and the Syrian Arab Republic, the United Nations Conference on Trade and Development (UNCTAD), the International Labour Organization (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

* A/57/150.

** This report was submitted after 2 July 2002 so as to include as much updated information as possible.

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II. Replies received from Governments and the United Nations system

A. Replies received from Governments

Argentina

[Original: Spanish]
[20 June 2002]

1. The Argentine Republic recognizes and respects cultural diversity, in the belief that it contributes to promoting the exercise and enjoyment of universally recognized human rights.

2. Respect for cultural diversity in the Argentine Republic has been embodied in a number of legal provisions, including constitutional norms, and in many international human rights instruments ratified by our country.

3. For instance, the amendment to the 1994 Constitution whereby the rights of indigenous people are incorporated in article 75, paragraph 17, is a milestone in the policy of recognizing Argentina's ethnic and cultural diversity.

4. The Constitution, according top priority to the application and interpretation of the relevant laws, grants important rights to Argentina's indigenous people, namely, recognition of their ethnic, historical and cultural identity, legal personality for their communities, community possession and ownership of lands traditionally occupied by them, transmission of their knowledge by means of bilingual and intercultural education, preservation of their heritage and way of life by guaranteeing the inalienability of the lands on which they live, future grants of additional lands suitable and adequate for human development and participation in the management of natural resources and other interests that affect them.

5. At the same time, a bill is currently under consideration in the Committees on Education and Culture and Human Rights and Guarantees of the Chamber of Deputies with a view to declaring 19 April, the date of the Warsaw Ghetto Uprising, as Cultural Diversity Day.

Cuba

[Original: Spanish]
[10 June 2002]

1. The Government of the Republic of Cuba attaches the utmost importance to the central role that the international community, through the United Nations system, has to play in protecting and promoting the various cultures in the world and in promoting international cooperation in this field, based on the principle of full respect for diversity.

2. The right to enjoy culture and the obligation to promote, preserve and protect it is not just a political undertaking of States but a legal obligation under international law.

3. The Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights recognized the right of everyone freely to participate in the cultural life of the community and to share in scientific

advancement and its benefits. The Covenant itself established the legal obligation to take the steps necessary for the conservation, the development and the diffusion of science and culture.

4. The World Conference on Human Rights reaffirmed that all human rights, including cultural rights, are universal, indivisible, interdependent and interrelated and recognized the importance of bearing in mind national and regional particularities, as well as various historical, cultural and religious backgrounds.

5. The development of information and communication technologies in the age of globalization could undoubtedly offer potential benefits for the full development of all cultures, as well as for exchanges and mutual understanding among the various cultures and civilizations.

6. However, in the current conditions of neo-liberal globalization, the opposite is happening: the disappearance of languages, cultures and ethnic groups and the imposition of homogenizing, pseudo-cultural patterns that serve as instruments of political and economic domination for the main centres of power in the industrialized countries of the West, particularly the United States of America.

7. The following are some of the factors that contribute to the present state of affairs:

- The structural determinants of subordination, dependence, exploitation and underdevelopment imposed on the countries of the South, which serve to perpetuate and widen the gap between North and South in terms of access to educational, news and cultural media. Most peoples of the South have no access to the new information and communication technologies because they lack the necessary financial resources, know-how, infrastructure and appropriate technologies.

- The present imbalance of power in favour of the developed countries, particularly the hegemonic super-Power, is causing a disturbing monopoly concentration of cultural and news media and technologies. United States companies control over 50 per cent of global film production and distribution, between 75 and 80 per cent of the circulation of television programmes and over 70 per cent of that of video programmes. The United States also controls 50 per cent of communication satellites and 75 per cent of the Internet. This global private monopoly concentration of ownership of the means of cultural production and distribution and its underlying selfish economic and political motives seriously threaten the survival of many cultures in the countries of the South and many peoples and minorities in the North. The risk of a worldwide process of forcible transculturation with the imposition of the United States model, is more serious, dangerous, pervasive and subtle now than in the days when the former colonial Powers imposed their assimilation policies.

- The growing predominance of cultural and news products promoted by the centres of United States capital inevitably results in the globalization of negative traits imposed on United States society, such as the cult of violence, the encouragement of pornography, drug addiction, triviality, racist and xenophobic stereotypes, the promotion of an utterly irrational and unsustainable consumerism, social disintegration and a belief in the supposed superiority of the American way of life and economic, political and social system. At the same time, such products present a censored, distorted and

Manichean view of world history and current events which demonizes those individuals, groups, political systems and ideologies that, nationally and internationally, question and refuse to espouse the neo-liberal dogmas of today's inquisitors.

- The neo-liberal ideology of the current globalization process imposes the all-out mercantilization of cultural goods and services and the individualization of consumption, which increasingly requires the financial solvency of the potential beneficiary of the cultural product, thereby aggravating inequalities and reducing access to culture for a large part, and in many cases the majority, of the population of many countries.

- The cult of the market belittles the aesthetic, ethical, moral, educational and historical values of cultural products and promotes uniformity and standardization in its search to minimize costs and maximize profits. This conflicts with the promotion and protection of culture and cultural diversity, impoverishes cultural heritage in the long term and threatens the very identity of peoples.

- The neo-liberal deregulation of cultural sectors and the mass media leads to uncontrolled privatization and the increasing concentration of media ownership among a handful of individuals. This process is especially detrimental to many developing countries, in that control of the media passes into foreign hands, making it difficult for those countries to apply national policies for the protection and promotion of their own cultures.

- The growing economic impoverishment of most developing countries, as a result basically of the current unjust international economic order and the macroeconomic adjustment plans imposed by global financial centres, places practical constraints on the domestic allocation of resources for the promotion and protection of culture: the issue takes second place when it comes to the allocation of budgetary resources.

8. Given the indissoluble links between culture, politics and ideology, the strategies of hegemony and cultural assimilation imposed by the Western Powers, primarily the United States, form part of their strategies of world domination.

9. The poles of political and economic power of transnational capital are trying to make the world a uniform place by attempting, in a dogmatic and fundamentalist manner, to impose worldwide a political, economic, social and cultural "model" that is alien and unworkable for the majority of humankind, in that it contradicts the wealth of diversity and ignores the particularities and realities of peoples.

10. The Governments of developed countries also apply this strategy of forcible assimilation and denial of cultural rights internally to their minorities, immigrants and indigenous people, and this is causing tensions, conflict and increasingly frequent and virulent outbreaks of xenophobic violence in those countries.

11. It is time that humankind reflected on its history and its current situation. Lack of respect for cultural diversity and erroneous racist, discriminatory and xenophobic ideas about the superiority of races, cultures and nations, which only benefit those who are seeking to achieve economic and political domination by imposing their cultural patterns, their customs and their ideology, have been among the basic causes of tragic world wars and of many national and regional conflicts throughout history.

12. Cultural cooperation presupposes respect for diversity. Interaction enriches each culture and, provided that it takes place on a basis of mutual respect, contributes to the voluntary acceptance of universally shared values. The recognition of universal values cannot be achieved by forcibly imposing on others the patterns of one particular culture or civilization, no matter how powerful and dominant it may be.

13. Uniformity merely impoverishes humankind. Forms of universalism must be reconciled with respect for a wide diversity of languages, cultures, ethnic groups, nations and ways of thinking that allow individuals, communities and nations to have a sense of belonging and identity. To develop culture by ensuring a harmonious blend of universal, regional, national and local values is a difficult, but not impossible, task and one that is essential for guaranteeing world peace.

14. The Government of Cuba has been guided by the foregoing principles in developing the country's cultural policy over the past 42 years.

15. That policy has been characterized, inter alia, by genuine equality not only of opportunities but also of possibilities for all: the production and consumption of cultural and news products and goods has been democratized, the vast network of cultural institutions distributed throughout the national territory is public and cultural goods and services are available to the entire population either free of charge or at a modest price.

16. At present, Cuba is deeply involved in developing and expanding innovative educational and cultural programmes designed to preserve its national identity and make all its citizens better informed about universal culture. These programmes include the following:

- Audio-visual programme to provide a more rounded education through the use of television and video. Under this programme, a television set has been installed in every classroom in every school in the country, including 1,944 rural schools that had no electricity and now obtain it from solar panels. A new television channel has also been set up, devoted exclusively to educational broadcasting.
- A total of 350 video clubs have been set up, more than one in each of the country's 146 municipalities.
- A total of 300 computer clubs have been set up, where children, young people and adults learn how to use the new information technologies and how to create and access web pages,
- A nationwide, television-based "open university" has been set up, offering classes in subjects such as English, French, history, geography, art appreciation and creative writing.
- Pupils in all primary schools are taught how to use computers. All educational centres at all levels now have computer labs where students can use and receive instruction in computers.
- New schools for arts instructors have been set up to ensure that there is one such school in each province. Each year, 4,000 young people enter such schools to train in the visual arts, music, dance and theatre with a view to

becoming arts instructors in educational institutions ranging from the primary to the university level, as well as a wide variety of cultural institutions.

- An additional 1 million colour television sets will have been distributed between 2001 and 2002, for a country whose total population is under 12 million. Of these, 100,000 will be distributed free of charge to schools, hospitals, bus and railway stations, old people's homes, etc., for public use, while the rest are being sold to the general public at cost price, with the possibility of obtaining an interest-free loan to buy one.

17. The Cuban nation, being the product of a blend of various cultures, beliefs and races and having, like few others, had to combat attempts at annexation and assimilation of its identity by the most powerful country in history, situated a mere 90 miles from its shores, values and appreciates the importance of respect for cultural diversity.

18. Cuba, therefore, will continue to promote and defend respect for cultural diversity and to support any effort to that end undertaken within the framework of the United Nations.

Syrian Arab Republic

[Original: Arabic]
[17 June 2002]

1. The Syrian Arab Republic supported the resolution entitled "Human rights and cultural diversity", adopted by the General Assembly of the United Nations on 19 December 2001 as resolution 56/156, out of its belief that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind, and taking into account that all cultures and civilizations share a common set of universal values.

2. Being fully aware that each culture has a dignity and value that deserves respect and preservation and that, in their rich variety and diversity, and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind. Accordingly, it is necessary to accept cultural, ethnic, religious and linguistic diversity and intercultural and intracultural dialogue as fundamental factors in building bridges for communication between the various cultures and nations of the world, whereas the phenomena of cultural prejudice, fanaticism and xenophobia vis-à-vis other cultures and religions give rise to hatred and violence between peoples and nations throughout the world. The Syrian Arab Republic therefore reaffirms and calls for the implementation of the provisions of the resolution.

B. Replies received from the United Nations system

UNCTAD

1. In 2000, UNCTAD provided an input to the above report on its activities in the area of traditional knowledge. The Plan of Action adopted at the tenth session of UNCTAD provided that UNCTAD should, in full cooperation with other relevant organizations, promote analysis and consensus-building with a view to identifying issues that could yield potential benefits to developing countries and focus on taking

into account the objectives and provisions of the Convention on Biological Diversity and the Agreement on Trade-related Aspects of Intellectual Property Rights, studying ways to protect traditional knowledge, innovations and practices of local and indigenous communities and enhance cooperation on research and development on technologies associated with the sustainable use of biological resources.

2. In October/November 2000, in close cooperation with the secretariats of the Convention on Biological Diversity and the World Intellectual Property Organization (WIPO), UNCTAD organized an Expert Meeting on Systems and National Experiences for Protecting Traditional Knowledge, Innovations and Practices, focusing on trade and development-related issues. The outcome was presented to the UNCTAD Commission on Trade in Goods and Services, and Commodities in February 2001 (full documentation and expert papers are available at http://www.unctad.or/en/special/cldos5.htm).

3. The Commission noted the interest generated by the Expert Meeting and made a number of agreed recommendations to Governments, at the national and local levels and in cooperation with local and indigenous communities to raise awareness of the role and value of traditional knowledge, promote the sustainable use of genetic resources, support the innovation potential of local and indigenous communities, facilitate research on traditional knowledge-based products and services, provide training to local and indigenous communities including women and facilitate the documentation of traditional knowledge as well as to promote the commercialization of traditional knowledge-based products and services with an emphasis on equitable benefit sharing with local and indigenous communities, and implement national legislation for the protection of traditional knowledge. The Commission also made recommendations at the international level to promote training and capacity-building to effectively implement protection regimes for traditional knowledge in developing countries, in particular in the least developed countries; promote fair and equitable sharing of benefits derived from traditional knowledge in favour of local and traditional communities; encourage the World Trade Organization to continue the discussions, on the protection of traditional knowledge; exchange information on national systems to protect and to explore minimum standards for an internationally recognized sui generis system for protection of traditional knowledge.

4. The Commission recommended that UNCTAD, within its mandate, as defined in paragraphs 106 and 147 of the Plan of Action, should conduct analytical work and organize regional workshops to exchange national experiences and examine strategies on traditional knowledge-related issues, in cooperation with WIPO, the Convention on Biological Diversity and regional organizations; develop further its TrainforTrade module on Traditional Knowledge, Trade and Development; support, in cooperation with the World Health Organization (WHO) and other pertinent organizations, initiatives taken by interested developing countries for capacity-building to identify means to protect and promote further development of traditional medicine, taking into account environment and biodiversity fields; assist upon request, member States and indigenous and local communities in exploring policies to harness traditional knowledge for trade and development, including through the United Nations Environment Programme (UNEP)-UNCTAD Capacity-Building Task Force (CBTF) on Trade, Environment and Development and the Biotrade Initiative; assist, in cooperation with relevant international organizations, including the International Trade Centre, developing countries, where appropriate, with the

commercialization of traditional knowledge-based products, including the creation of niche markets for such products; assist interested developing countries in exploring ways to protect traditional knowledge, recognizing and supporting the ongoing activities at WIPO; and publish the papers submitted to the Expert Meeting, including on the Internet.

5. In line with the recommendations of the Commission, and in close cooperation with the Government of India, UNCTAD recently organized an International Seminar on Systems for Protecting and Commercializing Traditional Knowledge (TK) (New Delhi, 3-5 April 2002). Government-nominated representatives from 14 countries and some 100 Indian participants and representatives of international organizations discussed commercialization of traditional medicine, systems for protecting traditional knowledge at the national level, and the international dimension of traditional knowledge protection, including possible components of an international sui generis system. Participants at the seminar adopted a communiqué agreeing that, while the national sui generis systems do provide the means for protection of traditional knowledge in the national jurisdiction, such systems would not be adequate to fully protect and preserve traditional knowledge. They therefore concluded that there was a need to provide international recognition to such national level systems for the protection of traditional knowledge and recognized the need to develop a framework for international recognition of national systems, customary law and others for the protection of traditional knowledge including diverse sui generis systems. Some of the possible components of such a framework were identified in the seminar, which would not only prevent misappropriation but also ensure that national-level benefit-sharing mechanisms and laws were respected worldwide.

6. This was found to be particularly relevant and urgent in the context of the ongoing work programme pursuant to the Ministerial Declaration of the Fourth Ministerial Conference of the World Trade Organization, held at Doha in November 2001. Further work should also be undertaken by intergovernmental organizations, including UNCTAD, on protection and commercialization of traditional knowledge with a view to promoting its sustainable use.

7. In February 2000, at the tenth session of UNCTAD, member States decided to address the protection of traditional knowledge as part of the work of UNCTAD in the area of trade and environment. In UNCTAD, the emphasis has been on exchanging national experiences on policies and measures to protect traditional knowledge in a broad sense and on identifying policies to harness traditional knowledge for trade and development. Since the tenth session of UNCTAD, there have been a number of activities — both intergovernmental and technical cooperation.

8. In October 2000, member States of UNCTAD convened an Expert Meeting on Systems and National Experiences for the Protection of Traditional Knowledge, Innovations and Practices. Over 250 experts from 80 countries participated, including representatives of Governments, indigenous groups, non-governmental organizations, intergovernmental organizations, academia, private companies and international agencies. Some 50 papers on country experiences were presented, most of which are now available on the UNCTAD web site (http://www.unctad.org/trade_env). These papers have been edited and revised and will be published in book form this year.

9. In February 2001, the UNCTAD Commission on Trade in Goods and Services, and Commodities adopted agreed recommendations to Governments, to the international community, and to UNCTAD. UNCTAD, in cooperation with relevant intergovernmental organizations, was called upon to undertake a number of activities, including to:

- Conduct analytical work and organize regional workshops to exchange national experiences and examine strategies on traditional knowledge-related issues.
- Assist member States and local and indigenous communities in exploring policies to harness traditional knowledge for trade and development.
- Assisted interested developing countries in exploring ways to protect traditional knowledge.

10. In response to these recommendations, a capacity-building project on "Harnessing Traditional Knowledge for Development and Trade" is under development. It is also envisaged to include capacity-building on traditional knowledge as part of UNCTAD work on post-Doha capacity-building.

11. Traditional knowledge has been given special attention in ongoing and recently completed trade, environment and development capacity-building projects, particularly the project funded by the Department for International Development (DFID) on enhancing research and policy-making capacity in 10 developing countries, as well as BIOTRADE and UNCTAD/United Nations Development Programme (UNDP) country projects. Traditional knowledge is also a main topic considered by the UNCTAD/ICTSD capacity-building project on trade-related aspects of intellectual property rights and development. A module on *Harnessing TK for Development and Trade* has been added to the TrainforTrade and CBTF Trade, Environment and Development training course series.

12. In April 2002, the Government of India and UNCTAD convened an International Seminar on Systems for the Protection and Commercialization of Traditional Knowledge, in New Delhi. Representatives from Brazil, Cambodia, Chile, China, Colombia, Cuba, Egypt, Kenya, Peru, the Philippines, Sri Lanka, Thailand, Venezuela and India, and a number of international experts and intergovernmental organizations expressed their views. Issues covered included the commercialization of traditional knowledge, exchange of national experiences of systems for protection of traditional knowledge, including sui generis systems, and the international dimension of traditional knowledge protection. The papers and presentations from this meeting are available on the UNCTAD web site. A parallel civil society event was also held.

13. In the communiqué issued by the meeting, participants expressed the need for understanding the viability of various instruments including national sui generis systems of protection and their recognition at the international level. They agreed that commercialization of traditional knowledge-based products and services, where appropriate, should be promoted with an emphasis on equitable benefit-sharing with local and indigenous communities and with their prior informed consent. Particular attention should be paid to the sustainable use and management of biological resources in the process. The participants recommended that their countries work together in various intergovernmental forums, particularly the Convention on Biological Diversity, the Food and Agriculture Organization of the United Nations

(FAO), WIPO, the World Trade Organization, and UNCTAD, to develop an international framework for the recognition of national systems of protection of traditional knowledge, including diverse sui generis systems. UNCTAD will make the communiqué available to this meeting.

ILO

1. The International Labour Organization (ILO), while having no direct mandate in the cultural field, is a value-based organization built on the conviction that all human beings, irrespective of their race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity. Given that race, religion and sex are indeed central components of one's cultural identity, ILO is in a position to make important contributions to promoting human rights and cultural diversity. As a standard-setting organization, ILO and its membership have at their disposal a normative framework that respects and promotes cultural diversity, tolerance and equality in the world of work. ILO standards emerge through a broad-based and inclusive process in which government, workers' and employers' representatives from different cultures and religions participate.

2. The implementation of the ILO standards is accompanied by assistance and supervision in a manner sensitive to cultural diversity. The membership of the Committee of Experts on the Application of Conventions and Recommendations, which is one of the supervisory bodies of ILO, is drawn from all parts of the world, in order to allow the Committee to enjoy first-hand experience of different social, economic and legal systems. The Committee on the Application of Standards of the International Labour Conference provides a forum for Governments, as well as workers' and employer' organizations, to discuss standards-related matters against the culturally diverse and inclusive background of its membership, including the application of standards in countries from all regions of the world. In addition, ILO has developed a comprehensive field structure (Multidisciplinary Teams) which are an effective tool with which to assist in the realization of ILO objectives in the various cultural environments.

UNESCO

1. The UNESCO Universal Declaration on Cultural Diversity and the main lines of an action plan were adopted by the 31st session of the General Conference in November 2001. The text is based on a great many sources of informed discussion, including the report of the World Commission on Culture and Development entitled "Our Creative Diversity" (UNESCO 1996), the Plan of Action adopted by the Intergovernmental Conference on Cultural Policies for Development, held in Stockholm in 1998, the debates of the two round tables of Ministers of Culture convened by UNESCO in 1999 and 2000, and inputs from regional and international organizations. The Declaration acknowledges the complex landscape of cultural difference. It argues that cultural diversity should be safeguarded because it is inseparable from the respect for human dignity, human rights and fundamental freedoms, particularly the rights of groups that are disadvantaged or victims of discrimination. The defence of cultural diversity "implies a commitment to human rights and fundamental freedoms, in particular the rights of persons belonging to minorities and those of indigenous peoples" (article 4); but it also underlines the fact that cultural diversity must not be allowed to serve as a pretext for infringing on

fundamental human rights or for promoting cultural relativism. The Declaration aims at avoiding segregations and fundamentalisms that in the name of cultural traditions, make sacred differences and transgress the principles of the Universal Declaration of Human Rights. Article 5 of the Declaration insists on the importance of the interaction between cultural diversity and human rights, particularly in the field of education, protection of identity and promotion of creativity. The item of the main lines of an action plan invites member States and UNESCO to make further headway "in understanding and clarifying the content of cultural rights as an integral part of human rights". The new UNESCO Strategy on Human Rights includes this priority in order to deepen the definition of cultural rights and to promote their protection.

2. Within the framework of the implementation of the Declaration and its Plan of Action, UNESCO is developing a new strategy for helping its member States, the international community and civil society in general to achieve a better understanding of cultural diversity and to foster intercultural dialogue. Respect for diversity must guide and inspire the elaboration of new mechanisms that favour cultural pluralism, so that equity and development can become a reality for everyone, at the local, national and regional levels. This strategy forms part of the UNESCO programme of action aimed at countering intercultural tensions, which most often arise from discrimination and violations of human rights. Efforts are currently under way to develop pluralism and encourage societies founded on a conception of "living together". The seminars or colloquiums organized by UNESCO examined the positive effects of cultural diversity and intercultural dialogue and the risks associated with pluralism as an agent of division and discrimination. UNESCO has undertaken actions to help people who are often victims of marginalization to preserve their cultural identities and have them more generally recognized. Certain publications have become precious sources of information on the means available for preventing discrimination. The joint re-edition in 2002 of the seminal works of Claude Lévi-Strauss (*Race and History* and *Race and Culture*) is an example of efforts to promote the interlinkage between human rights and cultural diversity. Within the framework of the International Decade of the World's Indigenous People, the Organization, as required by its Programme and Budget 2002-2003 (Main line of action 1: Construction of cultural pluralism and strengthening of action in favour of indigenous peoples), continues to encourage interdisciplinary exchanges between indigenous and non-indigenous experts geared to promoting the recognition, safeguarding and revitalization of indigenous cultural resources and identities and, securing the sustainable development of the communities concerned. In line with items 3 and 14 of the Plan of Action of the UNESCO Universal Declaration on Cultural Diversity, the Organization considers it a matter of priority to encourage efforts to stabilize and revitalize the cultural identity of displaced, fragmented and stigmatized indigenous communities. It recognizes the importance of giving them the chance to recover their dignity and to be free to transmit to future generations their own knowledge, values and ways of life. UNESCO strives to come closer to indigenous realities by reinforcing existing links and synergies between its various fields of competence, and seeks to encourage the adoption of national cultural policies that fully respect the cultural resources and values of indigenous people and acknowledge their cultural rights. As such, it supports operational projects at work in the field in Africa, Asia-Pacific, Latin America and North America. The indigenous cultural resources and values — when managed with, by and for the well-being of the

community — represent the raw materials of sound and sustainable development "understood not simply in terms of economic growth, but also as a means to achieve a more satisfactory intellectual, emotional, moral and spiritual existence" (article 3 of the UNESCO Universal Declaration on Cultural Diversity).

3. A better recognition of the interaction between human rights and cultural diversity will foster the concept of multicultural citizenship which falls within the broader framework of safeguarding cultural identity, diversity and pluralism within individual States. It is important to recognize that cultural pluralism is one of the cornerstones of democracy since "it gives policy expression to the reality of cultural diversity".

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Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and cultural diversity

Report of the Secretary-General**

Addendum

I. Introduction

Subsequent to the submission of the report of the Secretary-General, in accordance with General Assembly resolution 56/156 of 19 December 2001, additional information has been received.

II. Replies received from Governments

Ireland

[Original: English]
[2 August 2002]

The Irish Government supports the United Nations initiatives in the area of human rights and cultural diversity and views establishing respect for cultural diversity as potentially the most powerful means to combat racism and xenophobia. Recognizing that an integral part of a strategy to combat racism is the building of an inclusive society where respect for cultural diversity is the norm, the Government of Ireland has launched the following initiatives:

- The National Anti-Racism Awareness Programme, "Know Racism". One of the key messages of the programme is that Ireland is increasingly a multicultural society, and this is a strength. Actions taken under the programme include funding a television series showing the many different

* A/57/150.
** This report is submitted upon receipt of responses from Governments.

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cultures now present in Ireland. A video edition of the series, suitable for use in schools, is under preparation. The programme also distributed to every household in the country a leaflet entitled "What you can do against racism". It calls on people to, among other things, extend a hand of friendship to persons of different cultural backgrounds and to teach children to respect different cultures.

- Following the World Conference against Racism, a national action plan against racism is under preparation. The aim of the planning process is to produce a strategy for tackling racism and for promoting an inclusive society. The Government has produced a discussion document entitled "Towards a national action plan against Racism in Ireland" to provide information to the public about the plan.

- The recently published Programme for Government includes the following commitments:

  (a) To enhance the excellent work which is currently under way in our schools to educate for diversity and promote tolerance;

  (b) To appoint an expert group on managing cultural change to advise the Government on strategy and an integrated approach to this complex issue.

Ireland recognizes that the challenge of asserting cultural diversity and variation without compromising cultural identity is one which all societies face. Ireland believes that the United Nations system offers a means to address this at an international level and that these efforts should be encouraged and supported.

Kuwait

[Original: Arabic]
[8 August 2002]

The delegation of Kuwait wishes to report that Kuwaiti society is tolerant and upholds cordiality and peace, as well as respect for human rights, fundamental freedoms and cultural diversity.

The State of Kuwait values and respects all cultures and religions. There is no discrimination on grounds of religion, race or language in Kuwait, as long as that does not run counter to public order and the prevailing values in the State.

Taking the foregoing as a starting point, the State of Kuwait has endeavoured to draw up legislation that is in accordance with these values and principles. The Constitution of Kuwait attaches to cultural activities the importance they deserve, and they are regarded as one of the fundamental values of Kuwaiti society, as is reflected in article 14 of the Constitution, which provides that the State has to protect science, literature and art and encourage scientific research.

Likewise, the State of Kuwait makes an effort to participate in international conferences and meetings dealing with these issues, the most recent of which was the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, in 2001.

As an indication of the interest of the State of Kuwait in cultural activities, mention may be made of the establishment of many cultural and scientific

institutions dealing with activities of this kind, in conformity with the stated objectives, so that all citizens without exception may benefit from the activities and services they offer. Examples are:

1. The National Council for Culture, the Arts and Literature, which supports many cultural and literary activities and is responsible for supervising cultural festivals, particularly the Al-Qarin Cultural Festival, which is held annually in the State of Kuwait, is participated in by many countries and is the occasion for cultural activities;

2. The Foundation for Scientific Progress, which offers an annual prize for the most outstanding reports and books published throughout the world on the sciences, literature, the arts and culture;

3. The State of Kuwait promotes the holding in Kuwait of cultural weeks of other countries, under the supervision of their accredited embassies in the State of Kuwait, with a view to introducing Kuwaiti society to the cultures of those countries;

4. The State of Kuwait endeavours to organize cultural activities and weeks in other countries in order to familiarize their citizens with the culture of Kuwaiti society and to bring peoples closer together.

Russian Federation

[Original: Russian]
[15 July 2002]

A comprehensive State programme for the protection and development of traditional folk culture has been drawn up in the Russian Federation which includes measures for the study, compilation and popularization of the best examples of spiritual culture. Every year, hundreds of ethnic holidays and festivals are held at which there are exhibitions and fairs of ethnic arts and crafts, costumes and instruments, as well as creative workshops and laboratories.

The Russian Federation is participating actively in the implementation of the UNESCO project "Masterpieces of the oral and intangible heritage of humanity". The first list, announced in May 2001, includes the Russian candidate — the ethnocultural phenomenon of the "Semeiskie" Old Believers (Buryatia). The Russian Federation will also be submitting a candidate for consideration for the second list of masterpieces (2003).

The Russian Federation participates in international conferences and regional seminars on the implementation of the UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore (1989). Two such seminars have taken place in the territory with the Russian Federation, in October 1999 in Velikii Novgorod for the countries of Eastern Europe and Asia in transition, and in August 2001 in Yakutsk for the Siberian region.

As the 1989 Recommendation is currently the only international legal instrument dealing with the intangible cultural heritage, at its recent thirty-first session the UNESCO General Conference adopted a decision on the need to draw up an international convention on protection of the intangible cultural heritage. The Ministry of Culture of the Russian Federation is currently engaging in consultations

with institutions under its jurisdiction that deal with the problem of the intangible cultural heritage on the drafting of the Russian proposals for the draft of the future convention.

At its thirty-first session, the General Conference adopted the UNESCO Universal Declaration on Cultural Diversity, in the drafting of the text of which the Russian Federation played an active part. The preamble and some articles of the Declaration include formulations proposed by the Russian Federation on the basis of the ideas of Academician D. S. Likhachev, the report of the World Commission on Culture and Development, and the provisions of the Declaration of Principles on Tolerance adopted in 1995 and co-sponsored by the Russian Federation.

With the adoption of this Declaration, there will be an additional legal mechanism in the Russian Federation for protecting the rights of compatriots abroad, in that, proclaiming that cultural rights are an integral part of human rights, the Declaration recognizes the right of all persons to express themselves and to create in the language of their choice, and particularly in their mother tongue.

Thailand

[Original: English]
[8 August 2002]

General overview

Historically, as a country located at the centre of the Indo-Chinese peninsula, Thailand has been host to people of different cultures. Thailand's indigenous peace-loving culture and the predominant Buddhist faith in Thailand, which emphasizes tolerance, patience, understanding and respect for others, have played significant roles in formulating Thai society's openness to different traditions, cultures and religions.

Under the above influences, communities of diverse cultural backgrounds in Thailand slowly developed, throughout history, the ability to welcome differences in the cultures and religious beliefs of others. The continuous interaction between the communities created a general communal spirit among Thais, where both cultural diversity and human rights are interlinked.

Legislative framework

Thailand's respect for cultural diversity and its connection to human rights is most clearly reflected in the Thailand Constitution of BE 2540 (1997), article 46, which stipulates that "persons so assembling as to be a traditional community shall have the right to conserve or restore their customs, local knowledge, arts or good culture of their community and of the nation and participate in the management, maintenance, preservation and exploitation of natural resources and the environment in a balanced and sustainable fashion as provided by law". By virtue of this article, different cultural communities in Thailand are encouraged to peacefully coexist and respect the right of others to cultural self-determination.

Policy framework

On the national and local levels, the policy of Thailand on cultural diversity has been that of assimilation to ensure the harmonious coexistence of communities

of various cultural backgrounds. Additionally, as affirmed by the Office of the National Security Council (ONSC), Thailand's present national policy on the issue of cultural diversity pursues a human-centred approach. The approach focuses on ensuring that each individual member of the society values cultural diversity as a positive social force without forsaking his or her cultural roots, which will enable him or her to adapt to the current globalization of culture.

Education on cultural diversity and human rights

As stated in the Constitution, Thailand recognizes that there is a link between cultural diversity and human rights. Thus, the Ministry of Education emphasizes imparting a kind of social awareness, by means of which human rights and cultural diversity are both respected.

Moreover, according to the Office of the National Cultural Committee, Thailand specifically encourages the preservation of local cultures by incorporating indigenous wisdom and lessons learned from local ways of life into all levels of education, including the non-formal education system. In addition, Thailand supports persons who work to preserve local cultural arts in such areas as visual arts, architecture, literature and performance art by supporting:

- Their training and their access to information
- Their interaction and exchange of experiences
- Their achievements in creating work of great cultural values.

The objective is to enable those belonging to minority cultures to achieve recognition by the general public and enrich cultural diversity in Thailand. Thus, they can become focal points within their own groups in assisting in the national preservation of cultural diversity.

Additionally, Thailand also supports intercultural activities between communities to encourage understanding and acceptance of cultural diversity, as well as the possible cultural fusion that might result from the interaction.

Finally, along with the preservation of minority cultures, the Government of Thailand also strongly supports the preservation of the Thai national mainstream culture, by supporting study and research into national culture as a whole and by promoting cultural activities nationwide.

Selected examples

The Muslim population in Southern Thailand

The Government of Thailand has been successful in ensuring that the national security policy for the Southern border provinces in Thailand does not infringe upon the provinces' predominantly Muslim population's cultural or religious identity.

To ensure that a community of a culture that is in the minority receives the same recognition as others, the Government of Thailand stresses the cultural identity of the people involved as the most important element. Thus, the Government has encouraged full local participation by the Muslim communities in the drafting of the National Security Policy for the Southern Border Provinces, as well as in its implementation and its assessment afterwards. Under this initiative, the Government

and the local community are working together to ensure that the integrity of that community's cultural and religious identity are maintained while they remain an integral part of the larger Thai community. Further details of the case study can be found in the document attached herewith.

The hill tribe people in Thailand

There are several hill tribes living in Northern Thailand, each with its own distinctive way of life. The cultural differences between the tribes and the rest of the population in Thailand are very marked owing to the fact that the tribes' cultures are strongly influenced and preserved by their lives in the mountainous areas of Thailand, which are far away from the rest of society. In recognition of this fact, the Government of Thailand tries to enable the tribes to preserve their cultures and religious beliefs in the face of social and global changes affecting Thailand. Thus, the Government encourages policies that respect the hill tribes' cultural diversity and support the preservation as well as the positive use of their local wisdom.

Conclusion

Thailand believes that, while globalization will continue to identify common universal values, in reality the world remains a community of diversity. With its potential as a social mobilization force, cultural diversity can cause great destruction by breeding intolerance, conflict and violence, or it can bring about great constructive changes by fostering tolerance, forgiveness and understanding within a society.

From experience, Thailand recognizes that it is as much an individual's right as it is a community's right to hold a cultural identity of one's choice. Thus, to ensure that cultural diversity is a source of strength and not weakness, the Government of Thailand considers the encouragement of the recognition of cultural diversity among communities a priority. As demonstrated by the examples above, cultural communities are encouraged to preserve their own culture of choice, while at the same time learning from others. Thus, Thailand's minority cultures coexist within the country's national culture as a whole, aided by human-centred legislative and policy frameworks that link human rights with cultural diversity, a comprehensive education plan, and efforts to encourage participation and interaction by all parties involved.

III. Replies received from the United Nations system

Food and Agriculture Organization of the United Nations

[Original: English]
[8 July 2002]

The Food and Agriculture Organization of the United Nations (FAO) has taken note of General Assembly resolution 56/116 that has been adopted in line with the numerous instruments within the United Nations system that promote cultural diversity.

In particular, the General Assembly recognized that cultural diversity and the pursuit of cultural development are a source of mutual enrichment — and that each

culture deserves recognition, respect and preservation, it also affirmed the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions.

The International Treaty on Plant Genetic Resources for Food and Agriculture was adopted by the FAO Conference at its thirty-first session in November 2001 and recognizes that plant genetic resources for food and agriculture are the raw materials indispensable for crop genetic improvement, whether by means of farmers' selection, classical plant breeding or modern biotechnologies, and are essential, and that the past, present and future contributions of farmers in all regions of the world, particularly those in centres of origin and diversity, in conserving, improving and making available these resources, is the basis of Farmers' Rights.

The contracting parties, aware of their responsibility to past and future generations to conserve the world's diversity of plant genetic resources for food and agriculture, recognize the enormous contribution that the local and indigenous communities and farmers of all regions of the world, particularly those in the centres of origin and crop diversity, have made and will continue to make for the conservation and development of plant genetic resources (see art. 9.1); promote or support local communities' efforts to manage and conserve on-farm their plant genetic resources (see art. 5.1 (c)); and promote in situ conservation by supporting, inter alia, the efforts of indigenous and local communities (see art. 5.1 (d)).

There is no doubt that, in the field of biodiversity, the Treaty, which stresses the importance of saving, using, exchanging and selling farm-saved seed and other propagating material, clearly addresses cultural concepts related to those embodied in the above-mentioned resolution.

In addition, it should be observed that the Treaty includes a funding strategy to mobilize funding for priority activities, plans and programmes, in particular in developing countries and countries with economies in transition, and provides for the realization of farmers' rights by national Governments through:

- the protection of relevant traditional knowledge;
- equitable participation in sharing benefits derived from the use of plant genetic resources for food and agriculture;
- participation in national decision-making related to their conservation and sustainable use.

The text of the Treaty is available from http://www.fao.org/Legal/.

The Food and Agriculture Organization of the United Nations also acts in the field of other fundamental human rights such as the right to adequate food. Explicitly stated in the Universal Declaration of Human Rights (art. 25), this right is incorporated in the FAO Constitution, the Preamble to which identifies ensuring humanity's freedom from hunger as one of the principal reasons for the creation of the organization.

On the occasion of the World Food Summit: five years later, which took place in June 2002 at the organization's headquarters in Rome, the heads of State and Government, or their representatives, adopted the Declaration of the World Food Summit: five years later (WFS fyl 2002/3). In its Preamble, the Declaration reaffirms, inter alia, the right of everyone to have access to safe and nutritious food.

In paragraph 10 thereto, the FAO Council is invited to establish an intergovernmental working group, with the participation of stakeholders to elaborate, in a period of two years, a set of voluntary guidelines to support member States' efforts to achieve the progressive realization of the right to adequate food in the context of national food security. Furthermore, the heads of State and Government asked FAO, in close collaboration with relevant treaty bodies, agencies and programmes of the United Nations system, to assist the intergovernmental working group.

To that effect, in a paper entitled "Anti-hunger programme: reducing hunger through agricultural and rural development and wider access to food", which was presented during the **World Food Summit: five years later**, the organization proposed the launching of an **international alliance against hunger**. The alliance would mobilize political will, technical expertise and financial resources, so that every country could achieve success in reducing the number of undernourished by at least half by 2015. The particular goals of the alliance would be to strengthen global and national commitment and action to end hunger; to develop a common vision of the measures to be taken to reduce the number of hungry; and to promote the emergency of mutually beneficial partnerships between members, including Governments, communities and local institutions, international organizations, the private sector, and non-governmental organizations and civil society.

The Declaration is available from http://www.fao.org/DOCREP/MEETING/004/Y6948E.HTM.

Joint United Nations Programme on HIV/AIDS (UNAIDS)

[Original: English]
[30 July 2002]

UNAIDS recognizes that in each culture there is a dignity and value that deserves respect and preservation, and further that values and principles of justice, equality, non-discrimination, tolerance and respect must be promoted within communities and nations.

In the context of HIV/AIDS, people's cultures are taken into account when developing programmes for prevention and care. This is indispensable if behaviour patterns are to be changed on a long-term basis, a vital context for slowing down or for stopping the expansion of the epidemic.

For example, in many societies, the economic dependence and extensive illiteracy of women and girls has often resulted in sexual dependence leading to abuse, sometimes incestuous, early pregnancy and marriage, and also forced prostitution. These situations can be worsened by deeply rooted traditional value systems, especially in rural societies.

Further, culture can strongly influence gender and sexual norms. Cultures that do not promote the education and independence of women and girls can make them economically and sexually dependent upon males. Cultures that create such dependent situations may increase women's vulnerability to HIV/AIDS by disempowering them from demanding condom use. Cultures that place a high value on virginity may create an environment conducive to HIV transmission if older men are encouraged to pursue younger women.

Furthermore, men are influenced by cultural norms regarding manhood, some of which are very negative in the context of HIV. For social, cultural and economic reasons, men are often in a stronger position in their relationships with women. This gives them more control in deciding when and where to have sex, as well as whether or not to use condoms.

In order to address some of these issues, the UNAIDS secretariat, in conjunction with UNESCO, launched a project entitled "A cultural approach to HIV/AIDS prevention and care" in May 1998, with the aim of stimulating reflection and action for better application of a cultural approach, thereby grounding people's motivations towards changes in their sexual and non-sexual behaviour and building a more supportive environment for HIV/AIDS prevention and care.

Concrete action has included several subregional and regional training workshops on a cultural approach to HIV/AIDS prevention and care held in the following locations:

- Dakar, Senegal (6-8 August 2001)
- Rabat, Morocco (30 May-2 June 2001)
- New Delhi, India (2001)
- Nairobi, Kenya (2-4 October 2000)

Ongoing activities include:

- Three booklets on a cultural approach to HIV/AIDS prevention and care that are being developed in the areas of strategy and policy, project design, and field work;
- Production of training materials;
- Culturally appropriate information, education and communication (IEC) initiatives.

Notes

[1] The document *National Security Policy for the Southern Border Provinces (1999-2003)* of the Office of the National Security Council of Thailand is available for consultation upon request made to the Documentation Division of the General Assembly.